

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.12.2015

Coram:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.40996 of 2015
and M.P.No.1 of 2015

Vineetha

... Petitioner

vs.

1.Union Territory of Puducherry
Rep by its Chief Secretary
Revenue Department
Chief Secretariat
Puducherry.

2.Government of Puducherry
Directorate of School Education
"A" Block, I Floor
Perunthalaivar Kamaraj Centenary
Educational Complex
100 Ft Road, Anna Nagar
Puducherry 605 005.

3.The Deputy Thasildar
Government of Puducherry
Sub Taluk Office
Mahe
Puducherry.

... Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records of the third respondent herein dated 17.12.2015 in No.2377/STOM/T3/2015 and to quash the same and further to direct the 3rd respondent herein to issue the Residence Certificate to the petitioner.

For Petitioner : Ms.P.T.Asha
For respondents : Mr.K.Govindaraj,
Government Pleader (P)

ORDER

This writ petition has been filed challenging the impugned order passed by the third respondent dated 17.12.2015 in No.2377/STOM/T3/2015, on the ground that the petitioner was not put on notice and opportunity of personal hearing was not given.

2. Heard Ms.P.T.Asha, learned counsel appearing for the petitioner and Mr.K.Govindaraj, learned Government Pleader [Puducherry], appearing for the respondents.

3. It is seen from the records that the impugned order came to be passed by the third respondent without giving an opportunity of personal hearing to the petitioner in violation of the principles of natural justice. On this short ground alone, the impugned order is liable to be set aside.

4. Accordingly, the impugned order dated 17.12.2015 passed by the third respondent in No.2377/STOM/T3/2015 is set aside with a direction to the third respondent to conduct enquiry and pass fresh orders after affording reasonable opportunity to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. The respondents are directed to reserve one post till the enquiry is over.

In the result, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gms/jbm

To
1.Union Territory of Puducherry
Rep by its Chief Secretary
Revenue Department
Chief Secretariat
Puducherry.

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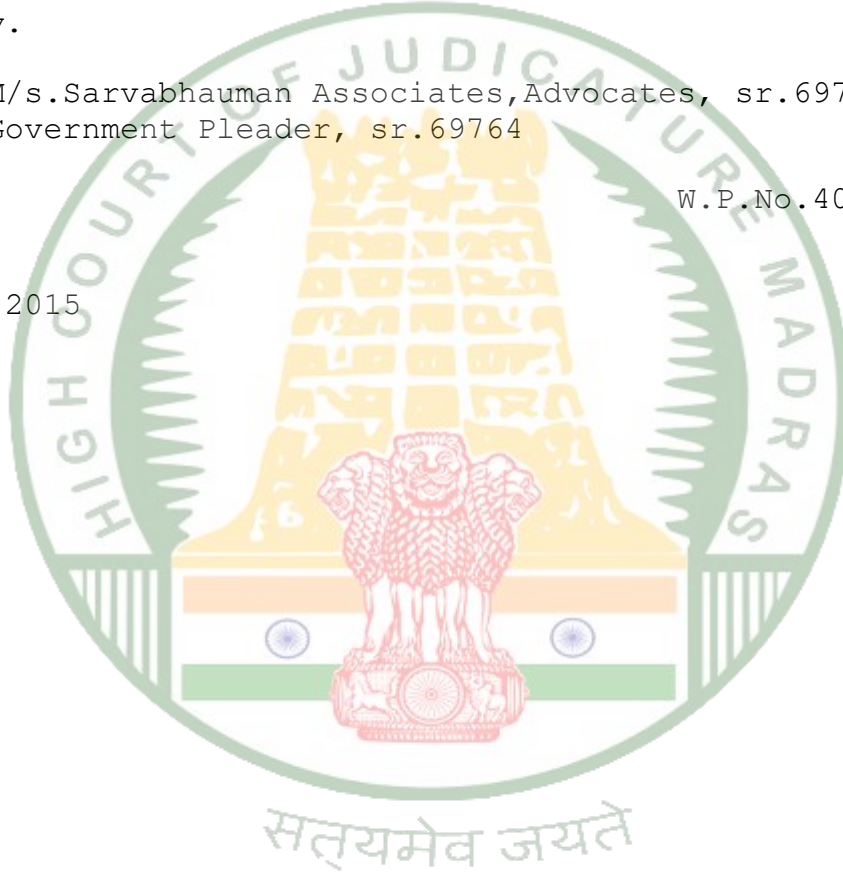
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3.The Deputy Thasildar
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Mahe
Puducherry.

+1 cc to M/s.Sarvabhauman Associates,Advocates, sr.69749
+1 cc to Government Pleader, sr.69764

W.P.No.40996 of 2015

ug co
kra 30.12.2015



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