

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37570 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of Certiorari declaring the action of the third respondent in not providing the copies of the material papers of the appeals filed by the non-tribals to the tribal petitioners herein; awarding exorbitant costs to the tribal petitioners on seeking one week adjournment of the appeals pending before the Court of Agent to the Government and in not providing copies of the docket orders passed by the Agent to the Government as illegal and arbitrary, and consequently, to call for the records of the Appeal in S.R.A.No.12/2016/F2 and set aside the order of the third respondent in awarding costs to the petitioners herein and also to furnish the material filed by the respondents 6 to 36 herein.

Heard and perused the material.

Learned counsel for the petitioners submits that the third respondent, before whom S.R.A.No.12 of 2016 is filed by the respondents 6 to 36 and is pending adjudication, has not furnished the copies of the Grounds of Appeal and also connected material papers to the petitioners herein to argue their case. He further submits that the third respondent, without hearing the petitioners and without supplying the copies of the Grounds of Appeal and other material papers, reserved the Order on 29.10.2016. Hence, the petitioners herein prays this Court to direct the third respondent to give opportunity to the petitioners herein to represent their case in S.R.A.No.12 of 2016 and to furnish copies of the Grounds of Appeal and other connected material papers filed by the respondents 6 to 36 herein.

On hearing the learned counsel on both sides, the third respondent is directed not to pass any orders in S.R.A.No.12 of 2016 without hearing the petitioners herein and also directed to furnish copies of the Grounds of Appeal and other connected material papers to the petitioners herein to enable the petitioners to place their arguments before the third respondent.

It is also made clear that after supplying the required material papers and on hearing the petitioners herein, the third respondent is at liberty to pass appropriate orders in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

10.11.2016
pln

