

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.34803 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed to issue a writ of mandamus declaring the orders passed by the 2nd respondent dated 5.10.2016 in O.S.No.10 of 2004 keeping in abeyance the orders issued in Ref.B/3/2016, dated 17.9.2016 as illegal and arbitrary and consequently, to set aside the said orders.

The grievance of the petitioner is that in view of the orders passed by 2nd respondent on 5.10.2016 in O.S.No.10 of 2004 suspending the operation of his earlier orders dated 17.9.2016, the unofficial respondents herein are trying to evict the petitioner from his land which is subject-matter of O.S.No.10 of 2004.

In view of the above and considering the fact that the second respondent passed the impugned order without any notice to the petitioner, the order dated 5.10.2016 is hereby set aside. The petitioner is directed to file an application before the second respondent informing that he was not given an opportunity while passing the order dated 5.10.2016. On filing such application, the second respondent shall pass appropriate orders after hearing the parties concerned.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

17.10.2016.
Tsr

