

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.33332 and 33143 of 2003 and 10198 of 2004
and
W.P.M.P.No.11866 of 2004

S.Veerabathiran .. Petitioner in W.P.No.33332 of 2003
Dr. (Mrs.) Induja .. Petitioner in W.P.No.33143 of 2003
A.Sudhahari .. Petitioner in W.P.No.10198 of 2004

Vs.

The District Collector,
Thiruvallur District,
Thiruvallur. .. Respondent in W.P.No.33332 of 2003

1. The District Collector,
Ramanathapuram District,
Office of the District Collectorate,
Ramanathapuram.
2. The Revenue Divisional Officer,
Ramanathapuram District,
Ramanathapuram. .. Respondents in W.P.No.33143 of 2003

1. The District Collector,
Vellore District,
Vellore.
2. The Dean,
Madras Medical College & Research Institute,
Chennai-600 003. .. Respondents in W.P.No.10198 of 2004

Writ Petition No.33332 of 2003 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records relating to the proceedings dated 20.10.2003 bearing Letter No.Ni.Mu.10217/2000/J3 of the respondent and quash the order passed therein.

Writ Petition No.33143 of 2003 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of

Certiorari to call for records of the respondents culminated in the Order Proceeding Na.Ka.No.Z1/66776/2002, dated 23.09.2003 issued by first respondent and consequently Notice dated 09.11.2003 in Na.Ka.A2/8084/03 issued by the second respondent and to quash the same.

Writ Petition No.10198 of 2004 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records relating to the proceedings of the first respondent dated 30.08.2003 and quash the order passed therein.

For Petitioners : Mr.Yogesh Kannadasan for Mr.M.Suresh Kumar
in W.P.No.33332 of 2003 and 10198 of 2004
Mr.Sivam Sivanandaraj in W.P.No.33143 of 2003

For Respondents : Mr.Akhil Akbar Ali, Govt.
Advocate in all W.Ps.

ORDER

It is represented by the learned counsel for both parties that the issue involved in these Writ Petitions is covered by a decision of the Apex Court reported in AIR 1995 SC 94 = 1994 (6) SCC 241 (Kumari Madhuri Patil Vs. Additional Commissioner), which has also been subsequently clarified by the Supreme Court in the decision reported in 1997 (5) SCC 437 (Kumari Madhuri Patil Vs. Addl. Commnr., Tribal Development) and the said decision of the Supreme Court reported in AIR 1995 SC 94 = 1994 (6) SCC 241 (cited supra) has also been followed by a Division Bench of this Court in W.P.No.27394 of 2000 (C.Vengatachalam Vs. The District Collector and Chairman, District Level Vigilance Committee, Madurai District, Madurai and another), dated 27.07.2005 and subsequently, the said decision of the Supreme Court reported in AIR 1995 SC 94 = 1994 (6) SCC 241 (cited supra) has also been followed by this Court in W.P.Nos.22911 and 34687 of 2003, dated 12.07.2017. In view of the above judgments, these Writ Petitions are allowed. No costs. W.P.M.P. is closed.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

CS

Copy to

1. The District Collector,
Thiruvallur District, Thiruvallur.
2. The District Collector,
Ramanathapuram District,
Office of the District Collectorate,
Ramanathapuram.
3. The Revenue Divisional Officer,
Ramanathapuram District,
Ramanathapuram.
4. The District Collector,
Vellore District,
Vellore.
5. The Dean,
Madras Medical College & Research Institute,
Chennai-600 003.

+2 Ccs to Mr.M. Suresh Kumar, Advocate sr 59782,59783

+1 CC to Mr.V. Sankaranarayanan, Advocate sr 60439.

+1 Cc to Govt. Pleader sr 61297.

W.P.Nos.33332 and 33143 of 2003
and 10198 of 2004

KGK(CO)
sp(21/09/2017)

सत्यमेव जयते

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