



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.01.2017

CORAM

THE HONOURABLE MR. JUSTICE M. DURAISWAMY

W.P (MD) No. 1303 of 2017

and W.M.P (MD) No. 1083 of 2017

T. Muthu Ganesh

... Petitioner

Vs.

1. State rep. By

The Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai - 600 009.

2. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 015.

3. The Regional Director of Municipal Administration,
Madurai Region, Madurai.

4. The Commissioner,
Chinnamanur Municipality,
Chinnamanur,
Theni District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned memo passed by the fourth respondent herein in his proceedings vide Na.Ka.No.0098/2017/C1, dated 05.01.2017 and quash the same as illegal and consequently direct the 2nd respondent herein to instruct the fourth respondent to permit the petitioner to perform the official duties allotted to him without any mental pressure by the fourth respondent in accordance with law.

For Petitioner

: Mr. B. Brijesh Kishore

For Respondents

: Mr. A. K. Baskara Pandian

Special Government Pleader

ORDER

Challenging the memo, dated 05.01.2017, the petitioner has filed the above Writ Petition.

2. The learned counsel appearing for the petitioner submitted that the fourth respondent is not the competent authority to issue the memo, dated 05.01.2017. Further, the learned counsel submitted that for the memo, dated 05.01.2017, the petitioner has sent his explanation on 09.01.2017 by the registered post with acknowledgment due, which was refused by the fourth respondent for the reasons best known to him.



3.Mr.A.K.Baskara Pandian, learned Special Government Pleader taking notice for the respondents submitted that pursuant to the notice, dated 05.01.2017, the fourth respondent has not taken any action against the petitioner so far.

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4.In these circumstances, the learned counsel appearing for the petitioner sought the permission of this Court to withdraw the Writ Petition with liberty to challenge the order if any passed by the fourth respondent against him and the learned counsel has also made an endorsement to that effect.

5.In view of the same, this Writ Petition stands dismissed as withdrawn. Liberty is given to the petitioner to challenge the order if any passed by the fourth respondent against the petitioner pursuant to the impugned notice, dated 05.01.2017. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai - 600 009.

2.The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 015.

3.The Regional Director of Municipal Administration,
Madurai Region, Madurai.

4.The Commissioner,
Chinnamanur Municipality,
Chinnamanur,
Theni District.

+1 cc to Mr.B.Brijesh Kishore,ADVOCATE, SR NO:4431
+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO:4739

W.P (MD) No.1303 of 2017
27.01.2017

PS