



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P(MD)No.3442 of 2017

and

W.M.P.(MD)No.2799 of 2017

G.Rajagopal

... Petitioner

vs.

1.The Principal Secretary to the Government of Tamil Nadu,
Department of Municipal Administration and Water Supply,
Secretariat, St. George Fort,
Chennai - 600 009.

2.The Tamil Nadu Water Supply and Drainage Board,
Rep. by its Managing Director,
No.31, Kamarajar Salai,
Chennai.

3.The Managing Director TWAD Board,
Head Office,
Chepauk,
Chennai - 600 005.

4.The Chief Engineer,
TWAD Board,
Southern Region, Madurai,
Press Colony, Opp. To Mattuthavani Bus Stand,
Madurai - 625 007.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari to call for the records on the files of the 2nd respondent pertaining to its order bearing BPMS No.115, dated 17-08-2009 and the consequential order of the 1st respondent in Letter No.15301/WS3/2016-1, dated 21-11-2016 and to quash the same as illegal.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.N.S.Karthikeyan

Additional Government Pleader

ORDER

This Writ Petition is filed challenging the order of the second respondent dated 17-08-2009 and the consequential order of the first respondent, dated 21-11-2016.



2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

WEB COPY 3. Though the learned Counsel for the petitioner has raised various points on merits of the case in the Writ Petition, he makes legal submissions that the impugned order passed by the first respondent dated 21.11.2016, as cryptic, without reasons and non-application of mind. It has been repeatedly held by this Court that the appellate authority or revisional authority, as the case may be, has to pass orders giving reasons and any order passed without giving reasons cannot be sustained.

4. In view of the same, the impugned order dated 21.11.2016 passed by the first respondent is set aside and the matter is remitted to the first respondent to consider the revision afresh on merits and in accordance with law after application of mind by giving reasons, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected W.M.P. (MD) No. 2799 of 2017 is closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to the Government of Tamil Nadu,
Department of Municipal Administration and Water Supply,
Secretariat, St. George Fort, Chennai - 600 009.

2. The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
No. 31, Kamarajar Salai, Chennai.

3. The Managing Director TWAD Board,
Head Office, Chepauk, Chennai - 600 005.

4. The Chief Engineer, TWAD Board, Southern Region, Press Colony,
Opp. To Mattuthavani Bus Stand, Madurai - 625 007.

+1CC to M/S.S.C. Herold Singh, Advocate, SR.No. 16813

+1CC to the Special Government Pleader SR.No. 17053

W.P(MD) No. 3442 of 2017

22.03.2017