

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.22517 OF 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a Writ, Order or Direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondent No.2 in demand Notice No.1443/VG/2014-07 dated 05.08.2015 and Lr.No.15596/M.I(2)/2015-1, dated 15.03.2016 of 1st respondent in rejecting Revision Application on the ground of (4) months delay in filing Revision without giving any notice nor conducting any hearing of Revision as per Rule 35-A of APMMC Rules, 1966 as arbitrary, illegal, unjust, in utter violation of principles of natural justice and contrary to the provisions of APMMC Rules, 1966 R/w.MM (D & R) Act, 1957.”

2. The main grievance of the petitioner is that *vide* letter, dated 15.03.2016, respondent No.1 rejected the revision application filed by her on the ground that she has not filed a petition to condone the delay in filing the said revision application.

3. After arguing for sometime, learned counsel for the petitioner confined his arguments only to the extent of directing the authorities concerned to condone the delay in filing the revision application and dispose of the revision application in accordance with law after giving an opportunity of hearing to the petitioner.

4. Considering all the facts and circumstances of the case and the submission of the learned counsel for the petitioner, the

petitioner is hereby directed to file a fresh revision application before the authorities concerned along with a petition to condone the delay and on such filing, the authorities concerned shall condone the delay and pass appropriate orders in the revision application in accordance with law after hearing the petitioner.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

Date : 21.07.2017
AMD

JUSTICE RAJA ELANGO



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