

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SMT JUSTICE T.RAJANI

Writ Appeal No.984 of 2017

JUDGMENT: (Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan)

This appeal, under Clause 15 of the Letters Patent, is preferred against the order passed by the Learned Single Judge in W.P.No.15761 of 2017 dated 27.04.2017 whereby the writ petition was dismissed on the ground that the appellant-writ petitioners had an effective alternative remedy of an appeal against the order impugned therein.

Sri T.Surya Satish, learned counsel for the appellant-writ petitioners, initially contended that the order of the Learned Single Judge was patently illegal. When we asked the Learned Counsel whether interference in an intra-Court appeal would be justified against exercise of discretion by the Learned Single Judge to relegate the appellant-writ petitioners to the remedy of an appeal, as exercise of such discretion by the Learned Single Judge cannot be said to suffer from a patent illegality, Learned counsel would request this Court to fix a time frame for the appellate authority to dispose of the appeal.

Sri P.Veera Reddy, learned Senior Counsel appearing on behalf of the 5th respondent, would submit that the appellant has, in fact, already preferred an appeal on 15.05.2017. While we see no reason to interfere with the order under appeal, suffice it to direct the appellate authority to dispose of the appeal, preferred by the appellant-writ petitioners, with utmost expedition and, in any event,

not later than two months from the date of receipt of a copy of this order.

The Writ Appeal is, accordingly, disposed of. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

20th July, 2017
JSU

(T.RAJANI, J)



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Date: 20.07.2017

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