

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND**

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

Writ Appeal No.2 of 2017

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

Heard Sri P.Bhaskara Mohan, learned counsel for the appellant, M/s.Indus Law Firm, learned counsel for the 1st respondent-writ petitioner, learned Government Pleader for Revenue appearing on behalf of respondents 3 and 4, and Sri Ravi Cheemalapati, learned counsel for the 6th respondent and, with their consent, the writ appeal is disposed of at the stage of admission. This appeal, under Clause 15 of the Letters Patent, is preferred by the 6th respondent in W.P.No.39799 of 2016, aggrieved by the order of the Learned Single Judge dated 23.11.2016 directing the respondent-authorities to dispose of the representation dated 25.02.2016 submitted by the 1st respondent-writ petitioner.

In the order under appeal, the Learned Single Judge recorded that both sides were heard and with the consent of counsel appearing for both sides, the writ petition was disposed of. The order under appeal records that none appeared for the 6th respondent, evidently because the writ petition was disposed of at the stage of admission without notice being issued to the 6th respondent therein.

As the writ petition was disposed of even without the appellant-6th respondent in the writ petition being put on notice, much less being given an opportunity of being heard, the order under appeal is set aside, and the writ petition is restored to file. The appellant herein shall file their counter affidavit in the writ

petition within ten days from today. It is open to the 1st respondent-writ petitioner to request the learned Single Judge to take up the writ petition “for admission” immediately after Sankranthi Vacation, 2017.

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

(RAMESH RANGANATHAN, ACJ)

(A.SHANKAR NARAYANA, J)

06th January, 2017
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