

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SMT.JUSTICE T. RAJANI

Writ Appeal No.861 of 2017

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

This appeal, under Clause 15 of the Letters Patent, is preferred by the 4th respondent in the writ petition aggrieved by the order passed in W.P. No.18344 of 2017 dated 8.6.2017.

While Sri T.R. Rajeevan, learned counsel for the appellant-4th respondent, would contend that the writ petition was disposed of at the stage of admission without putting the appellant-4th respondent on notice, and without giving her an opportunity of being heard, a perusal of the order would show that the learned Single Judge has merely directed the official respondents to consider the 1st respondent-writ petitioner's representation in accordance with law within a period of four weeks from the date of receipt of a copy of the order.

Mere consideration of a representation cannot be said to have caused substantial injustice to the appellant warranting interference in an intra-Court appeal, under Clause 15 of the Letters Patent. In any event, the interests of the appellant-4th respondent would be adequately safeguarded if the order of the learned Single Judge is modified and the GHMC is directed, on considering the representation of the 1st respondent-writ petitioner, not to take coercive action against the appellant-4th respondent, except after putting her on notice, and after giving her an opportunity of being heard.

The writ appeal stands disposed of accordingly. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(T. RAJANI, J)

27th July, 2017

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