

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SMT JUSTICE T.RAJANI

WRIT APPEAL NO.1340 OF 2009

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 of the learned Single Judge in WP.No.21258 of 2009 dated 15.10.2009.

The first respondent herein filed the Writ Petition seeking a mandamus to declare the proceedings dated 25.09.2009, issued by the first appellant herein, as illegal and arbitrary. By the order impugned in the Writ Petition, the first respondent herein was transferred from Dwaraka Tirumala to JC Godi in East Godavari District. The learned Single Judge set aside the order of transfer on the ground that it was effected without assigning any reasons and was, therefore, in violation of principles of natural justice.

Respondents 2 and 3 in the Writ Petition preferred this appeal and sought suspension of the order of the learned Single Judge. By order in WA.MP.No.2824 of 2009 dated 19.11.2009, a Division Bench of this Court granted interim suspension.

As the order of the learned Single Judge was suspended, the order of transfer revived and continues to remain in force. As the impugned order of transfer is dated 25.09.2009 passed nearly eight years ago, and as the said

order must have been given effect to, it is evident that the cause in this Writ Appeal no longer survives and that the Writ Appeal has become infructuous.

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

(RAMESH RANGANATHAN, ACJ)

(T.RAJANI, J)

14th July 2017
RRB

