

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

Writ Appeal No.227 of 2017

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

Heard Sri K.Chidambaram, learned counsel for the appellant, the learned Government Pleader for Home and Sri K.S.Murthy, learned counsel for the respondent-writ petitioners. This appeal, under Clause 15 of the Letters Patent, is preferred against the order passed by the Learned Single Judge in W.P.No.3587 of 2017 dated 07.02.2017. While a common order appears to have been passed in three writ petitions, it is only the order passed in W.P.No.3587 of 2017 which is the subject matter of challenge in this appeal, and not the orders passed in the other two writ petitions.

Sri K.Chidambaram, learned counsel for the appellant, would submit that the appellant herein is the 7th respondent in W.P.No.3587 of 2017, and the order under appeal was passed even without putting him on notice and without giving him an opportunity of being heard. As W.P. No.3587 of 2017 was allowed, at the stage of admission, even without the appellant (7th respondent in W.P.No.3587 of 2017) being put on notice, and without giving him an opportunity of being heard, the order under appeal is set aside and W.P.No.3587 of 2017 is restored to file.

Sri K.Chidambaram, learned counsel for the appellant (7th respondent in the writ petition), submits that the appellant would file a counter affidavit in W.P. No.3587 of 2017 within ten days from today. It is open to the respondent-writ petitioners to request the Learned Single Judge to take up W.P.No.3587 of 2017 for admission, and for grant of interim relief any day after ten days from today.

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)

27th February, 2017
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(DR. SHAMEEM AKTHER, J)



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