

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SMT JUSTICE T.RAJANI

WRIT APPEAL NO.879 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 second respondent in WP.No.17453 of 2017 aggrieved by an *ad interim* order passed in WP.MP.No.21320 of 2017 in WP.No.17453 of 2017 dated 02.06.2017.

The appellant herein has filed a petition to vacate the stay in WV.MP.No.2496 of 2017.

Having filed vacate stay petition, the appellant cannot simultaneously invoke the jurisdiction of this Court under Clause 15 of the Letters Patent. We see no reason, therefore, to entertain this appeal.

Leaving it open to the appellant to pursue his vacate stay petition, the Writ Appeal fails and is, accordingly, dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(RAMESH RANGANATHAN, ACJ)

(T.RAJANI, J)

11th July 2017
RRB