

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Writ Petition No.42311 of 2017

ORDER:

This writ petition is filed seeking verbatim the following relief/s:

‘.. to issue an appropriate writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 1st respondent in rejecting the revision petition filed by the petitioner vide Memo No.4855/Ex.II(2)/2017-2 dt.5-10-2017, without affording reasonable opportunity of being heard, as being illegal, and arbitrary, and consequently set aside the same, and to grant such other relief or reliefs....’

Learned counsel for the petitioner would submit that the impugned order was passed by the 1st respondent without affording an opportunity of being heard to the petitioner and, therefore, the said order which is passed in violation of principles of natural justice is unsustainable and is liable to set aside. He, therefore, requested for setting aside the impugned order and remitting the matter to the 1st respondent for disposal afresh in accordance with the procedure established by law.

Learned Government Pleader having supported the orders impugned stated that the writ petition is not maintainable.

Recording the submissions, the Writ Petition is disposed of setting aside the impugned order, dated 05.10.2017, and the matter is remitted to the 1st respondent for disposal afresh in accordance with the procedure established by law, however, after affording an opportunity of being heard to the petitioner. The authority concerned of the Government shall complete the necessary

exercise as directed supra within three (03) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

M.SEETHARAMA MURTI, J

13.12.2017

Vjl

