

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.09.2018

Coram

The Hon'ble Mr.Justice Satrugana Pujahari

Writ Petition No.34077 of 2013

and

M.P.Nos.1 and 2 of 2013

M.Kumar ...Petitioner

Vs.

1. The Principal Commissioner and Commissioner  
of Revenue Administration,  
Chepauk, Chennai - 600 005.

2. The District Collector,  
Villupuram.

3. The District Revenue Officer,  
Villupuram. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for records of the proceeding of the second respondent dated 20.07.2013 made in Na.Ka.No.A1/19005/11 and to quash the same and consequently, reserving one post of Revenue Assistant in the Villupuram Unit in the event of petitioner's promotion coming in the meanwhile.

For Petitioner : Mr.Sharath Chandran for Govindaraj

For Respondents : Mrs.R.Janaki  
Additional Government Pleader

O R D E R

The learned counsel appearing for the petitioner submits that the Appeal being provided against the impugned order, though the petitioner has filed the Writ Petition, he wants to exhaust such alternative statutory remedy, and as such, be permitted to withdraw the Writ Petition giving him liberty to approach the Appellate Forum with an observation that the Appellate Forum may entertain the Appeal, notwithstanding the limitation, if any, and dispose of the Appeal on merit.

2. The learned Additional Government Pleader appearing on behalf of the respondents submits that the respondents shall have no objection for allowing the petitioner to adopt such course.

3. Considering the aforesaid prayer made by the learned counsel appearing for the petitioner to allow him to withdraw the Writ Petition, the Writ Petition stands disposed of with an observation that the petitioner shall approach the Appellate forum within a period of two weeks hence. The Appellate Forum shall take into consideration the Appeal, notwithstanding the fact that the

limitation in the meanwhile expired, inasmuch as, the petitioner has bona fidely approached this Forum inspite of existence of such alternative remedy and consider and dispose of the same on merit. No costs. Consequently, connected Miscellaneous Petitions are closed.

26.09.2018

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Index : yes/no

Speaking Order/Non speaking

Note i) Issue a copy of this order  
on or before 28.09.2018

To

1. The Principal Commissioner and Commissioner  
of Revenue Administration,  
Chepauk, Chennai - 600 005.

2. The District Collector,  
Villupuram.

3. The District Revenue Officer,  
Villupuram.

Satrughana Pujahari, J.,

sd

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