

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.24023 of 2011 and
M.P.No.1 & 2 of 2011 and
M.P.No.1 of 2015

V.Sekar

... Petitioner

-Vs-

1.The Commissioner,
Civil Supplies and Consumer Protection Department,
Chepauk,
Chennai-5.

2.The District Collector,
Villupuram District,
Villupuram.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the first respondent dated 05.09.2011 vide proceeding No.N.K.A3/18039/2011 and to quash the same.

For Petitioner : Mr.S.Vijayakumar
For Respondents : Mr.J.Pothiraj,
Special Government Pleader

O R D E R

Heard Mr.S.Vijayakumar, learned counsel for the petitioner and Mr.J.Pothiraj, learned Special Government Pleader appearing for the respondents.

2. It appears that the same petitioner approached this Court earlier and challenged the same impugned proceedings dated 05.09.2011. The learned Judge of this Court by order dated 29.09.2011 in W.P.No.22340 of 2011, has dismissed the writ petition. Without disclosing the said fact, the petitioner has approached this Court by filing the present writ petition challenging the same impugned proceedings in Na.Ka.No.A3/18039/2011 dated 05.09.2011.

3. The learned counsel for the petitioner would submit that unfortunately, the petitioner had not informed him about filing of the earlier writ petition as the same was handled by a different counsel. Nevertheless, the learned counsel would submit that the grounds raised in the earlier writ petition were different from the grounds raised in the present writ petition and therefore, requested this Court to adjudicate the present writ petition on the grounds raised herein.

4. This Court is unable to appreciate the arguments advanced on behalf of the petitioner. This Court is of the view that the same proceedings cannot be challenged in piecemeal fashion and for the same cause of action, the petitioner cannot be allowed to re-litigate the same by filing another writ petition.

5. This Court does not see any iota of justification to entertain this writ petition. Therefore, the same is dismissed. Though it is a fit case for imposing exemplary cost, however in view of persuasion of the learned counsel appearing for the petitioner, the petitioner is being spared from the cost. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

gsk

To

1.The Commissioner,
Civil Supplies and Consumer Protection Department,
Chepauk,
Chennai-5.

2.The District Collector,
Villupuram District,
Villupuram.

+lcc to Mr.S.Vijayakumar,Advocate, S.R.No.35542

+lcc to the Government Pleader, S.R.No.35850

W.P.NO.24023 Of 2011

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BM 28/06/2018