

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.11.2018

CORAM

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.28869 of 2018

and

W.M.P.Nos.33715 & 33722 of 2018

1. R. Ravikumar
2. V. Murugesan
3. C. Kaavappan

.. Petitioners

versus

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Deputy General Manager,
Power Grid Corporation of India,
Sankagiri TLC Office,
No.3/3/27-B, Bharathy Nagar,
Salem Main Road,
Sankagiri, Salem District - 637301.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to transfer the proceedings in Na.Ka.No.10687/2018/B2, which was renumbered as Na.Ka.No.12288/2018/B2 pending before the 1st respondent and to transfer the same any other near-by District Magistrate/Collector.

For Petitioners : Mr.K.Mayilsamy
for M/s.Va.Vu.Si.Vazhakagam

For Respondent 1 : Mr.E.Balamurugan
Special Government Pleader

For Respondent 2 : M/s.Aiyar & Dolia

O R D E R

The prayer sought for in this writ petition is for a direction to the first respondent to transfer the proceedings in Na.Ka.No.10687/2018/B2, which was renumbered as Na.Ka.No.12288/2018/B2, pending before the first respondent and to transfer the same to any other near by District Magistrate/Collector.

2. The case of the petitioners is that they are farmers and the enquiry under Sections 10 & 16 of the Indian Telegraphic Act, 1982 has to be conducted by the first respondent. The petitioners have engaged an advocate, namely, Mr.C.P.Saravanan to represent their case, but he was not allowed to appear before the first respondent. Therefore, apprehending prejudice and bias, the petitioners have filed this Writ Petition seeking for the aforesaid relief.

3. Heard, the learned counsel appearing on either side and perused the materials available on record.

4. Though the aforesaid relief is sought for by the petitioners, the learned counsel appearing on behalf of the petitioners would submit that it would suffice if a direction is given to the first respondent to permit their lawyer of the petitioners to appear and represent their case before him.

5. In view of the limited nature of relief now sought for by the learned counsel for the petitioners, the first respondent is directed to permit the advocate on record for the petitioners to represent on their behalf and thereafter pass appropriate orders, after giving an opportunity of hearing to the petitioners.

6. With the above direction, the writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rsi/arr

To

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Deputy General Manager,
Power Grid Corporation of India,
Sankagiri TLC Office,
No.3/3/27-B, Bharathy Nagar,
Salem Main Road,
Sankagiri, Salem District - 637301.

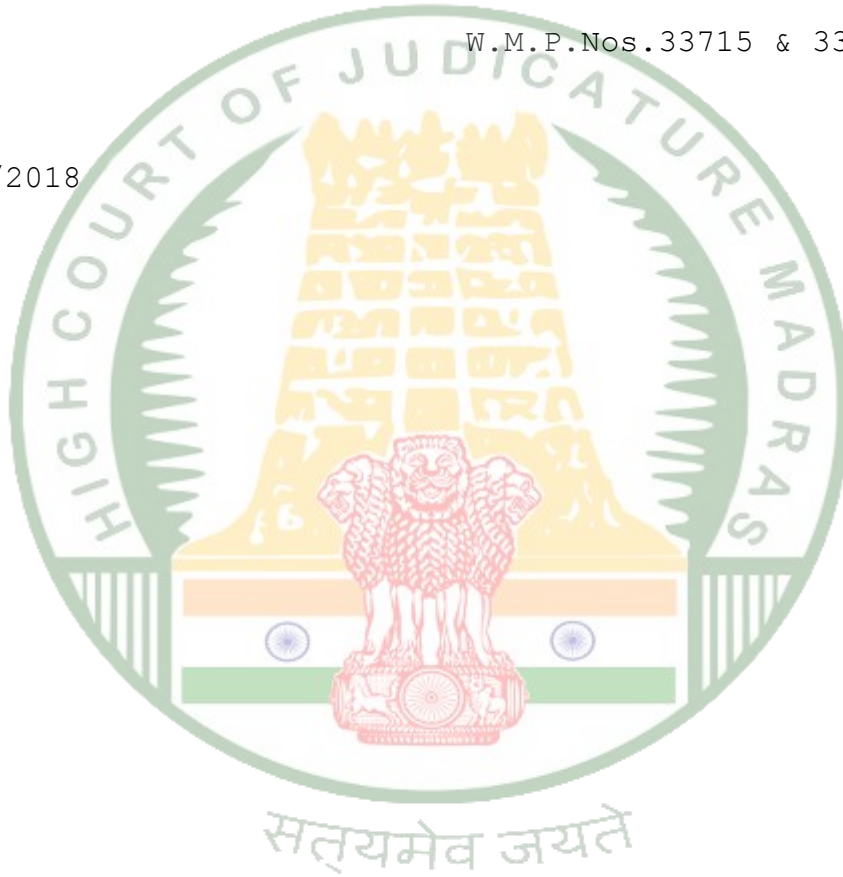
+1cc to Mr.Va.Vu.Si.Vazhakagam, Advocate, S.R.No.77423
+1cc to Mr.Aiyar & Dolia, Advocate, S.R.No.77384
+1cc to the Government Pleader, S.R.No.77686

W.P.No.28869 of 2018
and

W.M.P.Nos.33715 & 33722 of 2018

VBA (CO)

rrs 06/12/2018



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