



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.08.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**
AND
THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**
W.A. [MD] .No.241 of 2018
and
C.M.P. (MD) .No.1392 of 2018

M.Muthukumar : Appellant/Petitioner/Petitioner
Vs.

1. The State of Tamil Nadu,
represented by its Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat,
Fort St.George,
Chennai - 600 009.
2. The Commissioner of Municipal Administration,
Chepauk,
Chennai 600 005.
3. The Regional Director of Municipal Administration,
Tirupur Region,
Tirupur.
4. The Commissioner,
Dindigul City Municipal Corporation,
Dindigul.

[R4 has been impleaded vide
order dated 07.12.2017.]: Respondents/Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent to set aside the order passed by this Court in W.M.P.(MD) No.9599 of 2016 in W.P.(MD).No.12689 of 2016 dated 07.12.2017.

Prayer in WMP(MD)No. 9599 of 2016 :

This Petition praying to grant an order of Interim Stay staying the operation of impugned proceedings issued by the 2nd respondent in Na.Ka.No. 47297/2010/H2 dated 22/06/2016, pending disposal of the WP .



Prayer in WP(MD)No. 12689 of 2016 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Certiorari, to call for the records relating to the impugned proceedings issued by the 2nd respondent in Na.Ka.No. 47297/2010/H2 dated 22/06/2016 and to quash the same.

For Appellant: Mr.G.Sankaran

For R1 : Mr.V.R.Shanmuganathan
Special Government Pleader

For R2 & R3 : Mr.K.Saravanan
Government Advocate

For R4 : Mr.J.Lawrance

JUDGMENT

[Judgment of the Court was delivered by **M.M.SUNDRESH, J.**]

The Writ Appeal has been filed challenging the order dated 07.12.2017 made in W.M.P.(MD) No.9599 of 2016 in W.P.(MD). No.12689 of 2016.

2. The learned Single Judge has modified the order by directing the respondents to go on with the proceedings, while directing the deferment of finalization of the same. This discretion, in our view, cannot be found fault with. The merits of the case can only be decided at the time of final disposal of the Writ Petition. Leaving all the issues left to open to be decided in the pending Writ Petition, the Writ Appeal stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat,
Fort St.George,Chennai - 600 009.

2. The Commissioner of Municipal Administration,
Chennai,
Chennai 600 005.



3. The Regional Director of Municipal Administration,
Tirupur Region,
Tirupur.

4. The Commissioner,
Dindigul City Municipal Corporation,
Dindigul.

+1cc to Mr.J.Lawrance, Advocate Sr.No.81704

+1cc to Spl.Government Pleader Sr.No.81900

MM/NB

VB/SKN/SAR1/28.09.2018/2P/7C

JUDGMENT MADE IN
W.A. [MD] .No.241 of 2018
31.08.2018