



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P. (MD) No.3670 of 2018

and

W.M.P. (MD) . Nos.3816 & 3817 of 2018

P.Mohan

.. Petitioner

Vs.

1.State of Tamil Nadu

Represented by its Principal Secretary,
Department of Municipal Administration,
Fort.St.George, Chennai-9.

2.The Commissioner,

Madurai Corporation,
Corporation Buildings,
Madurai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Ma.Ni.27/028896/2005, dated Nil.02.2018, on the file of the respondent No.2 and quash the same as illegal within the time period stipulated by this Court.

For petitioner

: Mrs.J.Meenakshi for
Mr.T.Lajapathi Roy

For respondents

: Mr.J.Gunaseelan Muthiah for R1
Additional Government Pleader
: Mr.T.S.Mohamed Mohideen for R2
Additional Government Pleader

O R D E R

Heard Mrs.J.Meenakshi, learned Counsel appearing for the petitioner, Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader appearing for the first respondent and Mr.T.S.Mohamed Mohideen, Additional Government Pleader appearing for the second respondent.

2.The petitioner questions the impugned order passed by the second respondent. A reading of the order dated 09.02.2018 would show that it is only a consequential proceeding. Unless the petitioner challenges the primary order, pursuant to which the impugned order has been passed, no relief can be granted. It is made clear that if the petitioner seeks copies of the primary orders based, on which the impugned order has been issued, the respondent



shall furnish the same without any delay. Giving liberty to the petitioner to file a fresh petition on the same cause of action, this Writ petition is dismissed. No costs. Consequently connected Miscellaneous Petitions are also dismissed.

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Sd/-
Assistant Registrar (ADII)

/True Copy/

Sub-Assistant Registrar

To:

The Principal Secretary,
Department of Municipal Administration,
Fort.St.George,
Chennai-9.

+One cc to Mr.T.Lajapathi Roy, Advocate, SR.No.50640

+One cc to Mr.T.S.Mohamed Mohideen, Advocate, SR.No.50332

+One cc to The Special Government Pleader, SR.No.50909

SSS
RL/5C/2P/SV/MMS/SAR4/23/2/2018

ORDER MADE IN
W.P. (MD) No.3670 of 2018
and
W.M.P. (MD). Nos.3816 & 3817 of 2018

22.02.2018