



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :26.07.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.16475 of 2018

and

W.M.P. (MD) .Nos.14606 and 14607 of 2018

WEB COPY

M.Sivanesan

: Petitioner

Vs.

1. The District Collector,
Theni District.
2. The Assistant Director,
(Geology and Mines) Department,
Theni District.
3. The Revenue Divisional Officer,
Uthamapalayam,
Theni District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari to call for the records relating with the order of the 3rd respondent made in Na.Ka.No.2810-2/2017/A2, dated 09.10.2017 and quash the same as it is arbitrary and illegal.

For Petitioner : Mr.R.Suriyanarayanan

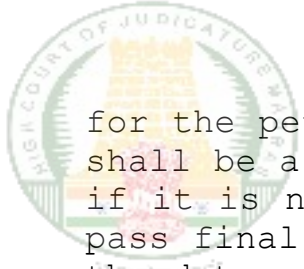
For Respondents : Mr.N.Shanmuga Selvam
Additional Government Pleader

ORDER

The petitioner has come forward with this Writ Petition seeking to issue a Writ of Certiorari, to call for the records relating with the order of the 3rd respondent made in Na.Ka.No.2810-2/2017/A2, dated 09.10.2017 and quash the same as it is arbitrary and illegal.

2.Heard Mr.R.Suriyanarayanan, learned counsel appearing for the petitioner and Mr.N.Shanmuga Selvam, learned Additional Government Pleader, who takes notice on behalf of the respondents.

3.The impugned order has already been challenged by the petitioner by way of an appeal before the first respondent herein, which, according to the petitioner, is yet to be numbered. The appeal papers have been sent by Registered Post through the acknowledgement. Since the petitioner has already challenged the impugned order by way of an appeal, it would not be appropriate,



for the petitioner to initiate parallel proceedings. Hence, there shall be a direction to the first respondent to number the appeal, if it is not already numbered and if it is otherwise in order and pass final orders on the same within a period of three months from the date of receipt of a copy of this order.

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4. With the above observations, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The District Collector,
Theni District.
2. The Assistant Director,
(Geology and Mines) Department,
Theni District.
3. The Revenue Divisional Officer,
Uthamapalayam,
Theni District.

SJI

VB/KAK/SAR4/09.08.2018/2P/4C

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