

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.13718 OF 2015

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the 1st respondent-Government in not passing any orders on the resubmission report i.e., letter No.SI/6795/2011, dated 25.11.2011 of the 3rd respondent-designated authority, even though three years elapsed, as illegal and arbitrary, and consequently, to direct the 1st respondent to pass orders on the resubmission report of the 3rd respondent.
2. Heard Smt. Kamala Seelam, learned Counsel for the petitioners and the learned Government Pleader for Energy for the 1st respondent.
3. When this matter was taken up for hearing, it was brought to the notice of this Court that similar issue was considered by this Court in W.P.No.9988 of 2014 and batch, which were disposed of on 16.4.2014. The learned Counsel for the petitioners submitted that similar order can be passed in the present writ petition as the issue raised in this writ petition is squarely covered by the order dated 16.4.2014 in W.P.No.9988 of 2014 & batch, whereas the learned Government Pleader appearing for the 1st respondent while submitting that the 1st respondent might have already passed orders on the resubmission report of the 3rd respondent, seeks time to get instructions.
4. Having considered the submissions made by both the Counsel, this Court is of the considered view that this writ petition can be disposed of, without expressing any opinion on merits, with a direction to the 1st respondent to consider the resubmission report of the 3rd respondent, dated 25.11.2011.

5. Accordingly, the Writ Petition is disposed of directing the 1st respondent to consider the resubmission report of the 3rd respondent dated 25.11.2011 and take appropriate decision thereon, within a period of 12 weeks from the date of receipt of a copy of this order. It is made clear that if the 1st respondent has already passed orders based upon the report submitted by the 3rd respondent, dated 25.11.2011, such order shall be communicated to the petitioners. If the petitioners are aggrieved by any such order, it is always open for them to approach the appropriate forum to pursue their remedies. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

17th April, 2018
Nn

(ABHINAND KUMAR SHAVILI,J)



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