

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

WRIT APPEAL No.13 of 2019

JUDGMENT: *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

We have heard the learned counsel for the appellant, who is respondent No.5 in the Writ Petition, and the learned counsel for the writ petitioner, who obtained an interlocutory order in the writ petition. We have also heard the learned Government Pleader in this intra Court appeal against an interlocutory order by which the learned single Judge refused to vacate the interlocutory order granted on 26.11.2018 and made it absolute.

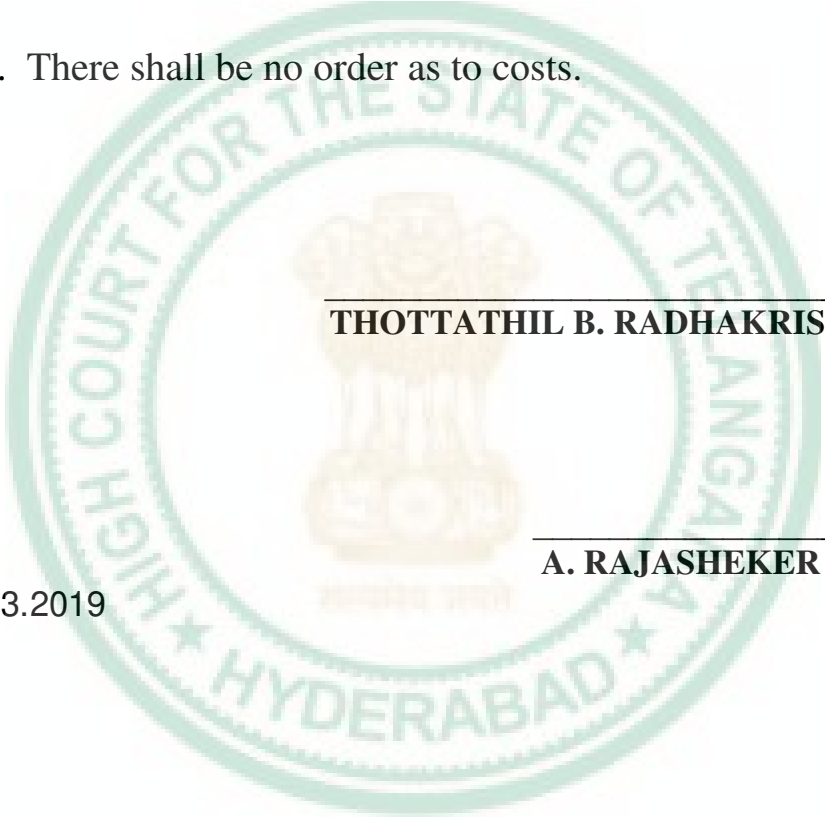
2. The impugned interlocutory order refusing to vacate the earlier interlocutory order is one which records reasons. It considers certain facts. It has noted the contentions including the submissions of the learned Government Pleader with reference to the file. We are, therefore, not inclined to interfere with the impugned interlocutory order through this intra Court appeal.

3. However, we see that there is an observation in the penultimate paragraph of the impugned interlocutory order which may tend to indicate that the learned single Judge has apparently expressed on integrity issue relating to the appellant. We see that the learned single Judge has cautiously made that statement as if it is a *prima facie* view. We are, therefore, clear in our mind that the Writ Petition would

be disposed of untrammelled by anything stated in the impugned interlocutory order. We also record the request of the learned counsel for the appellant that the learned single Judge may consider any request that may be made at that end sympathetically, for early consideration and disposal of the writ petition finally.

4. Subject to above, the Writ Petition is dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.



THOTTATHIL B. RADHAKRISHNAN, CJ

A. RAJASHEKER REDDY, J

Date: 25.03.2019
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