

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.637 of 2020
and C.M.P.No.8949 of 2020

S.Srinivasan .. Appellant/Petitioner

-vs-

1. The Chief Administrative Officer,
Market Managing Committee,
Koyembedu Wholesale Market Complex,
Chennai 600 107.

2. J.Vincent .. Respondents/Respondent

Appeal filed under Clause 15 of the Letters Patent against
the order dated 05.05.2020 passed in W.P.No.7571 of 2020 on the
file of this Court.

W.P.No.7571/2020:- Petition Praying to issue a writ of
certiorari, calling for the records pertaining to the order
dated 13.03.2020 passed by the Chief Administrative Officer,
Market Managing Committee, 1st respondent herein and to quash
the same.

For Appellant : Mr.G.Senthilkumar

For Respondents : Mr.M.Velmurugan for R-1

: Mr.Natarajan for R-2

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Heard learned counsel for the appellant, Mr.M.Velmurugan,
learned counsel for the first respondent and Mr.Natarajan,
learned counsel for the second respondent.

2.The second respondent had contested the matter on the original side arising out of O.S.A.No.247 of 2015. The said Original Side Appeal was disposed of vide judgment dated 04.07.2018, against which the second respondent filed a Special Leave to Appeal before the Apex Court. Learned counsel for the appellant has brought before us the order passed by the Apex Court dismissing the SLP on 16.10.2020, which is extracted hereunder:-

"The Special Leave Petition is dismissed.
Pending applications stand disposed of."

3.Accordingly, so far as the second respondent is concerned, his determination is now complete upto the Apex Court, but so far as the appellant is concerned, he contends that the impugned order had been passed without putting the appellant to any notice or opportunity. Learned counsel for the first respondent states that the first respondent will pass a fresh order for which an appropriate direction may be given.

4.In these changed circumstances, we dispose of the appeal with a direction that the first respondent shall now proceed to pass an appropriate order in accordance with law without being influenced by the dismissal of the writ petition filed by the appellant within a period of six weeks from the date of presentation of certified copy of the order. No costs. Consequently, C.M.P.No.8949 of 2020 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra
To

The Chief Administrative Officer,
Market Managing Committee,
Koyembodu Wholesale Market Complex,
Chennai 600 107.

+1cc to Mr.G.Senthil Kumar, Advocate, sr no.35946
+1cc to Mr.m.Velmurugan, Advocate, sr no.35677

W.A.No.637 of 2020

SAI (CO)
RMP (03/12/2020)