

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

W.P.No.2856 of 2021
&WMP No.3189 of 2021

K.Selvaraj

.. Petitioner

Vs.

1.The Director,
Directorate of Survey and Land Reforms,
Puducherry.

2.Manikandamurthy

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the Director, Directorate of Survey and Land Reforms, Puducherry culminating in Appeal No.6/2020 and quash the same and issue further proceedings to the first respondent not to pass any orders in favour of the second respondent in the above appeal.

For Petitioner... Mr.K.Balakrishnan

For Respondents.. Mr.D.Ravichandar, AGP(P) for RR1

ORDER

सत्यमेव जयते

The present Writ Petition has been filed by the petitioner seeking a direction to call for the records of the Director, Directorate of Survey and Land Reforms, Puducherry culminating in Appeal No.6/2020, quash the same and issue further proceedings to the first respondent not to pass any orders in favour of the second respondent in the above appeal.

2.Mr.K.Balakrishnan, learned counsel for the petitioner has made a statement that this Court by its order dated 12.06.2020 in W.P.No.8239 of 2020 has granted liberty to the second respondent herein to prefer an Appeal before the first respondent. Now, an Appeal has been filed by the

Manikandamurthy, represented by Tmt.Jagadeeswari.

3.According to the petitioner, only Mr.Manikandamurthy should file Appeal and he is not entitled to be represented by any other person since before this Court in WP.No.8239 of 2020 only the said Manikandamurthy had appeared and he was given liberty.

4.Mr.Ravi Chander, learned Additional Government Pleader takes notice for the first respondent.

5.With due respect for the learned counsel appearing for the petitioner, this Court might record this as one of the craziest pleas which this Court can ever. Unless, there is a statutory bar for a litigant to represent through an agent, it is permissible for every litigant to seek an appropriate remedy from the appropriate authority through his/her agent and the only entitlement of the present petitioner is to have an opportunity of a fair and effective hearing as and when the first respondent takes up the appeal for hearing.

6. Besides that, it is for the first respondent to ascertain how and it has to understand the proceedings before him now pending consideration in A.No.6 of 2020. In regard to statutory appeal, the entire procedure contemplated in the civil procedure may not be applicable since the first respondent is a Tribunal.

7. With the above observation, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/ जयते

Sub Asst. Registrar

dn

To

1.The Director,
Directorate of Survey and Land Reforms,
Puducherry.

WEB COPY

+1 cc to Mr.K.balakrishnan advocate sr8194
+1 cc to the Government Pleader(Pondy) sr8095

W.P.No.2856 of 2021

la(co)
aa04/03/2021



WEB COPY