



WEB COPY

W.A.(MD)No.742 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A. (MD)No.742 of 2021

and

C.M.P. (MD)No.3309 of 2021

Against WP (MD) .11188 of 2020

1.A.Subramanian

2.N.Sankaran

3.S.Kasali

4.M.Kathiravan

... Appellants/Petitioner

Vs.

1.R.Basheer

2.G.Kannan

... Respondents 1 & 2/Writ Petitioner

3.The Director of Rural Development and Panchayat Raj,
Panagal Building, Saidapet,
Chennai - 15.

4.The District Collector,
Collectorate,
Tirunelveli District.

... Respondents 3 & 4/Respondents 1& 2

Prayer:- Appeal filed under Clause 15 of the Letters Patent, against the order passed by this Court in W.P.(MD)No.11188 of 2020, dated 16.02.2021.

Prayer in WP(MD). 11188 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Pleased to issue a Writ of Mandamus for a direction, directing the Respondent No.1 to dispose of the appeal petition dated 24.7.2020 preferred by the petitioners in the light of the Proceedings of the Respondent No.1 in Na.Ka.No.43631/2018/C3 dated 13.12.2018 within the time period stipulated by this Honourable Court.

For Appellants : Mr.K.Dinesh

For R3 and R4 : Mrs.J.Padmavathy Devi
Special Government Pleader



JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

The appellants after obtaining leave, challenge the order of the learned Single Judge, which is rather innocuous by way of directing respondent No.3 in this appeal to dispose of the appeal pending before him.

2.The learned counsel appearing for the appellants submitted that the appeal is against the promotion given to the appellants and therefore, in the Writ Petition, respondent Nos.1 and 2/writ petitioners ought to have arrayed them as parties.

3.We are of the view that the appellants are not aggrieved by the relief sought for and granted. Respondent Nos.1 and 2 merely sought to expedite the hearing. Obviously, the appellants are entitled to be heard before disposal of the appeal. If not heard, they can always challenge it in the manner known to law. We may only observe that the law requires before passing any order, which is adversely affecting the interest of the parties, he or she or they has / have to be heard and such a right inheres upon the party.

4.With the above said observation, this Writ Appeal stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

smn2

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Director of Rural Development and Panchayat Raj,
Panagal Building, Saidapet,
Chennai - 15.

2.The District Collector,
Collectorate,
Tirunelveli District.

+1 CC to M/s.I.PINAYGASH, Advocate (SR-14617[F]
dated 31/03/2021)

+1 CC to M/s.SPL GP (SR-14839[F] dated
31/03/2021)

W.A. (MD) No. 742 of 2021
30.03.2021

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SRK(CO)

TR(28.04.2021) 3P 5C