



WEB COPY

W.A(MD)No.2127 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.11.2021**

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A(MD)No.2127 of 2021

and

C.M.P(MD) No.9905 of 2021

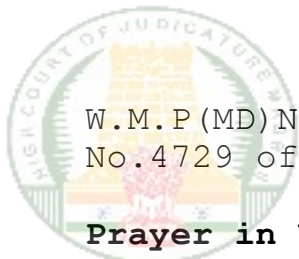
A.V.Panchavarnam :Appellant/Ist Respondent/Petitioner/
Petitioner

Vs.

- 1.The Managing Director
Tamil Nadu Women Development Corporation
Chennai. :Respondent/Petitioner No.1/Respondent No.1/
Respondent No.1
- 2.The Commissioner of Municipal Administration,
Chennai. :Second Respondent/Second Respondent/
Second Respondent/Second Respondent
- 3.The District Collector
Madurai . :Third Respondent/2nd Petitioner/Third
Respondent/Third Respondent
- 4.The Commissioner
Madurai Corporation,
Madurai. :Fourth Respondent/Third Respondent/Fourth
Respondent/Fourth Respondent
- 5.The Additional Director / Planning Director,
Tamil Nadu State Rural Livelihood Mission,
Unit - I,
Madurai. :Fifth Respondent/Third Petitioner/Fifth
Respondent/Fifth Respondent
- 6.M.Prabakar
Holding O/o. The Additional Director / Planning Director,
Tamil Nadu State Rural Livelihood Mission,
Unit - I,
Madurai. : Sixth Respondent/Sixth Respondent/Sixth
Respondent/Sixth Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
praying this Court to set aside the order passed by this Court in

<https://heservices.hesrtds.gov.in/heser/0es/>



W.M.P(MD)No.9234 of 2021 in W.M.P(MD) No.3838 of 2021 in W.P(MD) No.4729 of 2021, dated 10.11.2021.

Prayer in WMP(MD) . 9234/ 2021 :

This petition filed under Article 226 of the Constitution of India, praying this Court, to Vacate the order Interim Stay dated 08/03/2021 , granted in WMP.(MD).No.3838/2021 in WP(MD). No.4729/2021.

Prayer in WMP(MD) . 3838/ 2021 :

This petition filed under Article 226 of the Constitution of India, praying this Court, to pass an order of Interim stay with respect to the impugned proceedings of the 5th respondent in Na.Ka.No.3844/2018/A5, dated 11-02-2021, pending disposal of the above writ petition.

Prayer in WP(MD) . 4729/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-15. To issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned proceedings of the 5th respondent in Na.Ka.No.3844/2018/A5, dated 11-02-2021 quash the same and further direct the 5th respondent not Harass the petitioner in the name of enquiry.

For Appellant : Mr.M.Gururaj

For Respondents : Mr.Veerakathiravan,
Additional Advocate General-III
Assisted by Mr.P.Subbaraj,
Special Government Pleader

JUDGMENT

[Judgment of the Court was made by
PUSHPA SATHYANARAYANA, J.]

The Writ Appeal is directed against the order vacating the stay in W.M.P(MD)No.9234 of 2021 in W.M.P(MD) No.3838 of 2021 in W.P(MD) No.4729 of 2021, dated 10.11.2021.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.Initially, the Writ Court had granted stay on 8.3.2021. When the matter was listed on 9.11.2021, there was no representation for the Petitioner and therefore, the matter was posted under the caption ''for dismissal'' on 10.11.2021. Since there was no representation for the Petitioner on that day also,



the Writ Court had vacated the stay already granted on 8.3.2021 in W.M.P(MD) No.3838 of 2021 in W.P(MD) No.4729 of 2021 and the Writ Petition is directed to be posted for hearing in the regular course.

4.The learned counsel for the appellant, instead of moving the learned Single Judge, had rushed to this Court by filing the present Writ Appeal. It is only due to the action of the learned counsel for the appellant, the Court was made to vacate the stay and it is not decided on merits. Therefore, this Court also cannot decide the matter on merits, excepting a direction being given to the Writ Court to dispose of the Writ Petition within a time frame.

5.In such view of the matter, a direction is given to the Writ Court to dispose of the Writ Petition filed by the appellant/Writ Petitioner in W.P(MD)No.4729 of 2021 at the earliest, however, not later than one month, in view of the urgency expressed by the learned counsel for the Petitioner.

6.The learned counsel for the Petitioner submitted that he has filed an application to recall the order impugned herein. In view of the above submission, Registry is directed to number the application, if it is in order and shall be taken on file by the learned Single Judge.

7.With the above directions, the Writ Appeal stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Vsn

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 Managing Director
Tamil Nadu Women Development Corporation

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Commissioner of Municipal Administration,
Chennai.

3.The District Collector
Madurai .

4.The Commissioner
Madurai Corporation,
Madurai.

5.The Additional Director / Planning Director,
Tamil Nadu State Rural Livelihood Mission,
Unit - I,
Madurai.

Copy to

1.The Registrar(Judicial),
Madurai Bench of Madras High Court, Madurai.

2.The S.A.R.(Writ), Writ (AE) Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.SPL GP (SR-36282,36477[F] dated 29/11/2021)

W.A(MD) No.2127 of 2021

26.11.2021

RK(08/12/2021) 4P 9C