



WEB COPY



*WMP.No.32710 of 2022
in W.P.No.33273 of 2022*

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in
W.P.No.33273 of 2022

M.SUNDAR, J

Captioned 'Writ Miscellaneous Petition' ['WMP'] has been filed with a prayer to dispense with production of original of an 'order dated 07.09.2022 bearing reference Na.Ka.No.4649/2022/A1' [hereinafter 'impugned order' for the sake of convenience and clarity].

2. There are two major flaws in the captioned WMP and they are as follows:

a) support affidavit does not disclose any reason in support of the prayer. To put it differently, there are no averments supporting the dispense with prayer;

b) the prayer in the dispense with petition talks about dispensing with production of 'demand notice', whereas the order that has been called in question is an order made by the respondent in an appeal under Section 124-I of 'the Tamil Nadu District Municipalities Act, 1920'.



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3. The above position is not only intriguing but has to necessarily be avoided. Faced with the above situation, Mr.M.Mohamed Riyaz, learned counsel for writ petitioner made a fervent plea to accede to the prayer as the impugned order as served on the writ petitioner has been placed before this Court.

4. Considering the facts and circumstances of the case on hand, making it clear that this is a one off case, this case shall not be treated as a precedent and in days to come, such matters will have to meet with the inevitable consequences, prayer is acceded to.

5. WMP ordered as prayed for with the above observations. There shall be no order as to costs.

12.12.2022
(2/2)

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