



W.P.No.3817 of 2023

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R.SURESH KUMAR, J.

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This writ petition has been posted today under the caption “For Clarification” at the instance of the learned counsel appearing for the petitioner as well as Mr.P.H.Arvind Pandian, learned Senior Counsel appearing for the third party.

2. Learned Senior Counsel appearing for the third party would submit that, by virtue of the order dated 10.02.2023, the writ petition itself has been disposed of, where this Court directed the petitioner to file an appeal before the Appellate Authority within a period of two weeks from the date of receipt of a copy of this order, where he can also ask for an interim arrangement, till the said interim application is filed and decided by the Appellate Authority, this Court has given interim protection by the said order dated 10.02.2023 to the writ petitioner. In spite of the said order, the petitioner has not chosen to file any appeal by virtue of the interim protection given by this Court, which is still existing unlimited, therefore, he wants to restrain the time limit and within which, the petitioner can approach the Appellate Authority and file an appeal along with a stay petition for grant for interim relief.



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3. The Appellate Authority can decide the said application seeking interim arrangement as well as the main appeal itself on merits and accordance with law.

4. In respect of the said arrangement to be made, the learned counsel appearing for the petitioner also does not have any serious objection and it is also brought to the notice of this Court that, today the petitioner has filed an appeal.

5. Considering the afore-stated, this Court is inclined to give the following direction by way of clarification to the order dated 10.02.2023:

- ◆ That since the petitioner has filed an appeal before the Appellate Authority today, the Appellate Authority shall entertain the appeal and decide the same on merits and in accordance with law within a period of eight(8) weeks from today.
- ◆ In view of the said time limit now fixed to decide the appeal itself from today, till such time i.e., for eight weeks period, the impugned order in the writ petition need not be given effect to.



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WEB COPY With this clarification, Registry is directed to issue the order copy to the parties.

03.03.2023

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