



W.A.No.980 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY
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1. The District Collector
Tiruppur District, The Collectorate Office
Karuppa Gaundanpalayam
Tiruppur 641 604.
 2. The Revenue Divisional Officer
Udumalpet, Tiruppur – 642 154.
 3. The Executive Engineer
Public Works Department
Water Resources Division
Amaravathi Basin Division
Dharapuram, Tiruppur 638 656. .. Appellants
- Vs.
- V.Ramalingam .. Respondent

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 06.12.2023 in W.P.No.35104 of 2022.

For the Appellants : Mr.A.Edwin Prabakar
State Government Pleader

For the Respondent : Mr.J.Prithivi



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JUDGMENT
(Delivered by the Hon'ble Chief Justice)

Heard Mr.A.Edwin Prabakar, learned State Government Pleader for the appellants and Mr.J.Prithivi, learned counsel for the respondent.

2. The present writ appeal is filed against the order passed by the learned Single Judge dated 06.12.2023. Apart from the order directing the appellants to decide the representation, the learned Single Judge has also imposed costs upon the present appellants.

3. Learned State Government Pleader submits that in fact, the court only directed the appellants to decide the representation, in view of that, there was no necessity to file counter. It is further submitted that counter could not be filed, as 05.12.2023 was declared as a holiday because of cyclone and on 01.12.2023, the Government Advocate entrusted with the matter was not in a position to attend the court because of domestic reasons.



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4. In normal course, we would certainly not entertain the appeal, however it appears from the nature of the order passed by the learned Single Judge that counter was not necessary, as only directions were given to decide the representation. In the light of that, the impugned order, to the extent of imposing costs, is set aside. In view of the peculiar facts of this case, we have not considered the aspect of the maintainability of the letters patent appeal as against imposition of costs.

5. The writ appeal, as such, stands disposed of. There shall be no order as to costs. Consequently, C.M.P.No.7011 of 2024 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No

Neutral Citation : Yes/No

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