



W.A.No.2387 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.A.No.2387 of 2024

V.Kumar

.. Appellant

Vs

Greater Chennai Corporation,
rep. by its Commissioner,
Ripon Buildings,
Chennai-600 003.

.. Respondent

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 5.6.2024 passed by the learned Single Judge in W.P.No.12696 of 2024.

For the Appellant : Mr.Richardson Wilson
for M/s.P.Wilson Associates

For the Respondent : Mr.S.Gopinath
Standing Counsel



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JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

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Mr.S.Gopinath, learned Standing Counsel, accepts notice on behalf of the respondent.

2. By consent, the writ appeal itself is taken up for final disposal at the admission stage.

3. Challenging the order of the learned Single Judge dated 5.6.2024 passed in W.P.No.12696 of 2024, the unsuccessful writ petitioner has filed the present writ appeal. By virtue of the said order, the appellant was directed to approach the appellate authority.

4. After some arguments, learned counsel for the appellant fairly agreed that the appellant will file an appeal before the appellate authority and liberty be granted to the appellant to raise all contentions, including the issue of jurisdiction of the appellate authority, in the said appeal. He would also submit that the appellate authority may be directed to pass orders on the appeal uninfluenced by any of the observations made by the learned Single Judge.



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5. In the light of that, we are not inclined to interfere with the order of the learned Single Judge. As rightly held by the learned Single Judge, the appellant has efficacious alternate remedy before the appellate authority. The appellant shall file an appeal before the appellate authority within a period of two weeks from the date of receipt of a copy of this judgment. In that event, all contentions, including the issue of jurisdiction of the appellate authority, are kept open. On such appeal being filed, the appellate authority is directed to consider the same on its own merits and in accordance with law and take a decision uninfluenced by any of the observations made by the writ Court, as expeditiously as possible.

6. With the above observation, the writ appeal is disposed of. There shall be no order as to costs. Consequently, C.M.P.Nos.16910, 16913 and 16916 of 2024 are closed.

(D.K.K., ACJ.) (P.B.B, J.)
08.08.2024

Index : Yes/No



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NC : Yes/No
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To

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The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.



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THE HON'BLE ACTING CHIEF JUSTICE
AND
P.B.BALAJI, J.

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