

Commissioner, Salem Municipality

Vs

T. Kuralmani and Another

Civil Appeal No. 9879 of 1995

(K. Ramaswamy, B. L. Hansaria JJ)

30.10.1995

ORDER

1. Leave granted.
2. Having heard the learned counsel on both sides, we think that the Tribunal, by the impugned order, was not justified in summarily disposing of the matter without considering the rival contentions which in the background of the facts of this case, ought to be gone into. Under these circumstances, the Order of the Tribunal dated 10-1-1995 made in OA No. 3427 of 1990 is set aside. The matter is remitted to the Tamil Nadu Administrative Tribunal, Madras, for a fresh disposal according to law. It is made clear that we are not expressing any opinion on merits and the Tribunal is free to consider the entire controversy in the light of the Government order and pass appropriate orders according to rules.
3. The appeal is allowed accordingly. No costs.