

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27/10/2015

C O R A M

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P.No.33957 of 2015

S.Sathish Kumar

...

Petitioner

Vs

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 3.
2. The Regional Deputy Commissioner
Corporation of Chennai
Enforcement Wing
Town Planning Section
Zone - IX
Shenoy Nagar
Chennai 600 030.
3. The Zonal Officer
Zone IX, Corporation of Chennai
No.1, 1st lake Area, 4th Cross Street
Nungambakkam
Chennai 34.
4. K. Krishnakumar

...

Respondents

Writ petition filed under Article 226 of the Constitution seeking for the issuance of a writ of mandamus to direct the first respondent to consider and pass orders on the representation of the petitioner dated 15/4/2015 pending before the Commissioner, Corporation of Chennai, Rippon building, Chennai.

For Petitioner : Mr.V.G.Anbarasu

For Respondents: Mr.A.Nagarajan
for R.R.1 to 3.

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O R D E R

(Delivered by SATISH K. AGNIHOTRI,J.,)

Mr. A. Nagarajan, learned counsel, accepts notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with at this stage as no adverse order is passed against him. Thus, with the consent of the learned counsel for the petitioner and the learned Standing Counsel for respondents 1 to 3, the writ petition is taken up for final disposal, at the time of admission itself.

2. The petitioner's grievance is that he has made a representation on 15 April 2015 to the first respondent seeking demolition of the building put up by the fourth respondent sans any approval from the authorities concerned, but, no steps have taken by the first respondent till date. Hence, the present writ petition.

3. The learned Standing Counsel for the respondents 1 to 3 submits that the Government of Tamil Nadu has issued G.O. (Ms.) No.99, Personnel and Administrative Reforms (A) Department dated 21 September 2015, laying down the revised procedures for dealing with grievance petitions submitted by the citizens of the State. The relevant portion of the said Government Order is usefully extracted hereunder:

"3. Accordingly, the following revised procedures issued for dealing with the grievance petition received through online and offline in the Government Offices:

i. An acknowledgement should go immediately and at the most, within three days of the receipt of grievance petitions.

ii. Grievance itself should be redressed within a maximum period of one month of its receipt and it should be with a speaking order in the event of a redressal or rejection if found necessary.

iii The citizens approaching the Government departments with their grievance petitions should be informed of the progress of his/her grievance.

iv In case, for some reason, additional time is required for its finalisation, the person, who has given grievance petition, should be informed in writing for the extended period of time for its finalisation.

v In case, it is not found feasible to accede to his/her request, a reasoned reply may be issued to the aggrieved citizen within the stipulated time limit of one month.

4 All the Government offices are directed to strictly adhere to the above said procedures for dealing with the grievance petition received in the Government offices. All the Government offices are requested to communicate these instructions for compliance to the subordinate offices also."

4. The aforesaid Government Order was placed in W.P.No.25887 of 2015, wherein, a coordinate Bench of this Court, upholding the same, directed the Government authorities to strictly adhere to the procedures set out therein.

5. Thus, the petitioner's representation dated 15.04.2015 deserves to be considered on merits and in accordance with law. Accordingly, without going into the merits of the case, we direct the first respondent to take a decision on merits and in accordance with law at the earliest, preferably within a period of two weeks from today. The authorities are also obliged to examine the locus of the complainant in making the grievance.

This writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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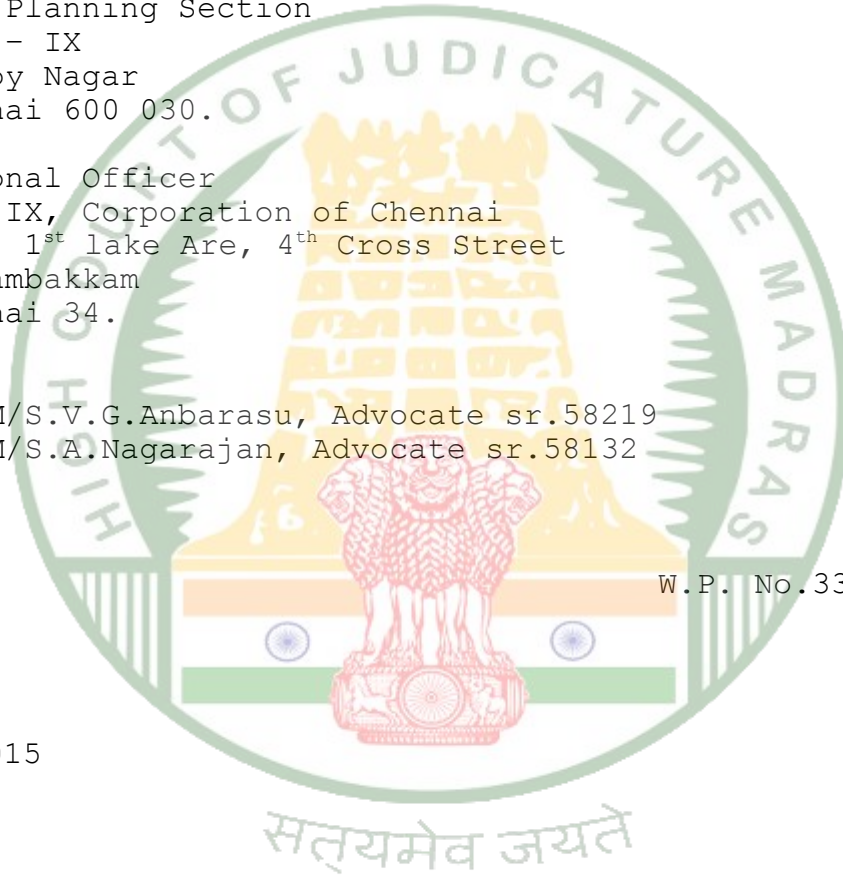
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+1 cc to M/S.V.G.Anbarasu, Advocate sr.58219

+1 cc to M/S.A.Nagarajan, Advocate sr.58132

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aa26/11/2015



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