

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.36442 of 2015

S.Kanagasabapathy

[PETITIONER]

Vs

1. The Commissioner,
Kancheepuram Municipality Office,
Kancheepuram

2. The Town Planning Officer,
Kancheepuram Municipality Office,
Kancheepuram.

3. The Local Planning Authority,
No.1, Valluvar Street,
Min Nagar, Big Kancheepuram,
Kancheepuram.

4. Mrs. Jagadeeswari

5. N.Srinivasan

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the respondents 1 to 3 to consider the petitioner's representation dated 02.11.2015 within a stipulated time .

For Petitioner : Mr.M.Saravanakumar

For Respondents : 1 to 3 : Mr.G.B.Rajesh

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. Heard Mr.M.Saravanakumar, learned Counsel appearing for the petitioner and Mr.G.B.Rajesh, learned counsel for the respondents 1 to 3.

3. The petitioner seeks for a direction upon the respondents 1 to 3 to consider his representation dated 02.11.2015. Since the Writ Petition is disposed of at the admission stage without notice to the

respondents 4 and 5, the merits of the allegations raised by the petitioner are not gone into.

4. It is pointed out by the learned counsel for the petitioner that earlier the petitioner filed another Writ Petition in W.P.No.3454 of 2015, wherein, the petitioner prayed for direction to dispose of appeal dated 01.09.2015, pending before the District Revenue Officer, Kancheepuram, and delete the names of the respondents 4 and 5 herein, who were the respondents 6 and 4 in the said Writ petition from the patta and to register the patta in his name. The said Writ Petition was disposed of by an order dated 11.02.2015 and it is now stated that enquiry is in progress before the District Revenue Officer. The petitioner would state that already a criminal complaint has been given and F.I.R. has been registered in Crime No.554 of 2014 and the Revenue Divisional Officer has also conducted an enquiry under section 107 Cr.P.C. and the petitioner understands that the said respondents appeared for the enquiry and have given an undertaking to the Revenue Divisional Officer that they will not undertake and construction. In the meantime, the petitioner has come to know that the respondents are attempting to obtain the planning permission. With these facts, the petitioner submitted a representation to the first respondent on 09.07.2015, followed by the reminder dated 02.11.2015.

5. In the light of the above, without going into the merits of the allegations made by the petitioner as against the private respondents, there will be a direction to the first respondent consider the representation submitted by the petitioner dated 09.07.2015, followed by the reminder dated 02.11.2015, after notice to the petitioner as well as the respondents 4 & 5 and pass appropriate orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. No costs.
srn/rpa

Sd/-
Assistant Registrar

सत्यमेव जयते
/True Copy/

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Sub-Assistant Registrar

To

1. The Commissioner,
Kancheepuram Municipality Office,
Kancheepuram
2. The Town Planning Officer,
Kancheepuram Municipality Office,
Kancheepuram.
3. The Local Planning Authority,
No.1, Valluvar Street,
Min Nagar, Big Kancheepuram,
Kancheepuram.

+1 C.C. To MR.M.Saravana Kumar, Advocate in SR.NO.61828

+1 C.C. To MR.G.B.Rajesh, Advocate in SR.NO.62136

W.P.No.36442 of 2015

AD(CO)
sd : 27/11/2015



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