

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7732/2015

J.Jeyathilagar

...Petitioner

Versus

Secretary to Government,
Municipal Administration &
Water Supply Department,
Fort St. George, Chennai - 600 009.

...Respondent

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the respondent to consider and pass orders on the Appeal Petition dated 13.10.2008 concerned in Letter No.36415/NaD1/2008-7.

For Petitioner : Mr.M.Krishnappan, Senior Counsel for
Mrs.R.Swarnalatha

For Respondent : Mr.R.Vijayakumar, AGP

ORDER

Heard Mr.M.Krishnappan, learned Senior Counsel appearing for Mrs.R.Swarnalatha, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader accepting notice for the respondent and with their consent, the writ petition is disposed of at the admission stage itself.

2. The petitioner seeks for issuance of a writ of mandamus to direct the the respondent to consider and pass orders on the Appeal Petition dated 13.10.2008 concerned in Letter No.36415/NaD1/2008-7.

3. It is seen that the petitioner filed an appeal before the respondent, aggrieved by the order passed by the Regional Director,

Town Planning, Madurai and the Commissioner, Kodaikanal Municipality, Kodaikanal in respect of the construction of an additional building in Kodaikanal town in Ward No.D, Block No.1, TS No.21/2, RS No.383/4-P, Club Road, Kodaikanal.

4. The said appeal petition was filed under Section 217 DD [2a] read with Section 217 K of the Tamil Nadu District Municipalities Act, 1920. The appeal was entertained and the 1st respondent, vide letter dated 29.12.2012 called for further explanation from the petitioner. This has been submitted by the petitioner on 31.01.2013. Thereafter, another explanation was submitted by the petitioner to the respondent vide communication on 15.06.2013. Since no orders have been passed pursuant to the representation dated 15.06.2013, the petitioner is before this court.

5. In the light of the above, there will be a direction to the respondent to consider the petitioner's appeal dated 13.10.2008 and also the explanations/reply sent by the petitioner and pass 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.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

AP/gya

To

The Secretary to Government,
Municipal Administration & Water Supply Department,
Fort St. George, Chennai - 600 009.

1 CC to Mrs.R.Swarnalatha, Advocate SR.No.15473

1 CC to the Government Pleader, SR.No. 15848

WP.No.7732/2015

VD (CO)

PSI (26.03.2015)