



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.10.2015

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THE HONOURABLE **MR. JUSTICE R. SUBBIAH**

W.P (MD) .No.18079 of 2015

R.Poomayilammal

...Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Annamaligai,
Madurai.

...Respondent

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent herein to consider the petitioner's representation, dated 25.09.2015 and take necessary action within the time stipulated by this Court.

For petitioner : Mr.P.Mahendran
For Respondent : Mr.Prabhu Ramachandran
takes notice

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondent herein to consider the petitioner's representation, dated 25.09.2015 and take necessary action within a stipulated time.

2. Mr.G.Prabhuramachandran, learned counsel takes notice for the respondent.

3. By consent, the Writ Petition itself is taken up for final disposal.

4. In the affidavit it has been averred that the property in Survey Nos.183/15, 183/16 and 1881/1 situated at Anuppanadi village absolutely belongs to the petitioner's family. In the above said property, plots were formed and the same were sold to various parties. At the time of forming the layout, 10 feet was kept vacant for common pathway for ingress and egress of the residents of the said plots. While the matter stood thus, some persons created obstructions and are causing inconvenience to the residents. Hence, a representation was made by some of the residents to the respondent to lay a public road. Based on the same, the respondent officials are making attempts to lay a road on the portion of the property belonging to the petitioner, which will cause huge loss to the petitioner. Hence, the petitioner had sent a representation to



the respondent on 25.09.2015 explaining all the facts. But the same was not considered so far. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made by the learned counsel for the petitioner, without going into the merits of the averments made in the Writ Petition, this Court directs the respondent to consider the representation of the petitioner, dated 25.09.2015 and pass appropriate orders, on merits and in accordance with law by affording an opportunity of hearing to the petitioner and all other necessary parties, within a period of four weeks from the date of receipt of a copy of this order. It is made clear, this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the respondent to consider the same purely on merits.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation,
Annamaligai,
Madurai.

+1cc to Mr.P.Mahendran, Advocate Sr.No.59123

+1cc to Mr.R.Prabhu Ramachandran, Advocate Sr.No.59234

RG/09.10.2015 /2p-4c/

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