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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2015

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No. 7476 of 2015

and

M.P. (MD) No. 1 of 2015

R. Mohamed Rajapdheen

... Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Anna Building, Near Tallakulam,
Madurai-625 002.

2. The City Engineer,
Madurai Corporation, Anna Maligai,
Madurai-2.

3. The Assistant Commissioner,
Madurai Corporation,
East Zone, Munichalai Road,
Madurai-625 009.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 13.02.2015 and consequently remove the bore-well situated in the petitioner's patta land in Town Survey No. 241 of Door No. 1, Sungampallivasal Street, Madurai City with the payment of compensation a sum of Rs. 5,00,000/- to the petitioner.

For Petitioner : Mr. R. Mohamed Rajapdeen,
Party-in-Person

For Respondents : Mr. R. Murali

ORDER

This writ petition has been filed for a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 13.02.2015 and consequently remove the bore-well situated in the petitioner's patta land in Town Survey No. 241 of Door No. 1, Sungampallivasal Street, Madurai City and pay a compensation of Rs. 5,00,000/- to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

2. For removal of bore-well which was erected in the petitioner's patta land in question, without any consent obtained from the



petitioner, the petitioner made a representation dated 13.02.2015 to the respondents and the same is kept pending without any consideration. Hence this writ petition.

3. Heard the petitioner who appeared in person before this Court and also the learned Standing Counsel for Madurai Corporation, who took notice on behalf of the respondents.

4. Considering the facts and circumstances of the case, the writ petition is disposed of directing the first respondent to consider the representation of the petitioner dated 13.02.2015 on merits and in accordance with law, and pass appropriate orders, after giving opportunity to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Madurai Corporation,
Anna Building, Near Tallakulam,
Madurai-625 002.
2. The City Engineer,
Madurai Corporation, Anna Maligai,
Madurai-2.
3. The Assistant Commissioner,
Madurai Corporation,
East Zone, Munichalai Road,
Madurai-625 009.

+1cc to Mr.C.M.Arumugam, Advocate Sr.No.37901
+1cc to Mr.R.Murali, Advocate Sr.No.38137

KM

akm/14.07.15 /2p-6c/

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and M.P. (MD) No.1 of 2015
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