



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.05.2015
CORAM:

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

W.P.(MD)No.8105 of 2015 and
M.P.(MD) .Nos.1 and 2 of 2015

K. Anandakumar

.. Petitioner

Vs.

1. The State represented by
The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, State of Tamil Nadu,
Fort. St. George, Chennai.

2. The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.

3. The Chairman,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.

.. Respondents

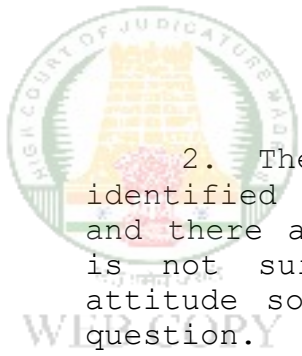
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records connected with the resolution dated 25.03.2015 passed by the respondent No.3 and quash the same in so far as subject No.7 is concerned consequently forbearing the respondents from constructing any building in Survey No.42, Block No.1, Ward-B, Periyar Nagar, Ramanathapuram Municipality in Ramanathapuram District.

For Petitioner : Mr.R. Alagumani
For Respondent : Mr.A.K. Baskarapandian
Additional Government Pleader

O R D E R

(The order of the Court was made by T.S.SIVAGNANAM, J.)

The petitioner by way of this Writ Petition, designed as a Public Interest Litigation, claiming to be a resident of Periyarnagar, Ramanathapuram Municipality in Ramanathapuram District area, has filed this petition, challenging the resolution passed by the Municipality proposing to construct houses for sweepers of the Municipality.



2. The petitioner would state that the land, which has been identified for putting up construction was earlier used as a dump yard and there are several problems for putting up construction and the land is not suitable and the Municipality is adopting a discriminative attitude so far as the Sweepers are concerned by choosing the land in question.

3. In our views, these issues cannot be examined at this stage of the matter, since only a resolution has been passed. For proper implementing the project, the Municipality should take appropriate steps. Therefore, at this stage of the matter, the question of quashing the resolution does not arise. However, taking note of the fact that the representation has been given, the third respondent is directed to consider the representation dated 04.05.2015 on merits and in accordance with law and pass a reasoned order, within a period of four weeks from the date of receipt of a copy of this order.

4. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

\\True copy\\

Sub Assistant Registrar

To

1. The Secretary to Government, Municipal Administration and Water Supply Department, Secretariat, State of Tamil Nadu, Fort. St. George, Chennai.

2. The Commissioner, Ramanathapuram Municipality, Ramanathapuram, Ramanathapuram District.

3. The Chairman, Ramanathapuram Municipality, Ramanathapuram, Ramanathapuram District.

+1cc TO M/S.R.ALAGUMANI, ADVOCATE SR.NO. 25550

+1cc TO THE SPECIAL GOVERNMENT PLEADER SR.NO. 25347

Order made in
W.P. (MD) No. 8105 of 2015 and
M.P. (MD) Nos. 1 and 2 of 2015
13.05.2015

RJ2/TRP

NA/28/05/2015/P2/6C