



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.1010 of 2013

M.C.Natesan

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Divisional Planning Officer,
Collector Office,
Dindigul District.

3.The Assistant Director of
Panchayat Unions,
Dindigul,
Dindigul District.

4.The Block Development Officer,
Kodaikanal,
Dindigul District.

5.The Commissioner,
Panchayat Union Officer,
Kodaikanal,
Dindigul District.

6.K.A.R.Damodaran,
The President,
Poondi Panchayat,
Poondi Post,
Kodaikanal Taluk,
Dindigul District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents not to construct any new building for the office of the Poondi Panchayat in Survey No.687 to an extent of hectare 1.50 Ares in Thoppu Poondi Village Poondi Panchayat Kodaikanal Taluk Dindigul District consequently directing the respondents to make any improvements or further constructions in the existing Panchayat Board building for running the office of the Panchayat.

For Petitioner

: Mr.V.Illanchezian

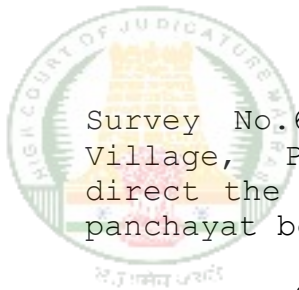
For Respondents 1-6

: Mr.M.Alagadevan,

Special Government Pleader.

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)



Survey No.687 to an extent of hectare 1.50 Ares in Thoppu Poondi Village, Poondi Panchayat, Kodaikanal Taluk, Dindigul District and to direct the respondents to make any further constructions in the existing panchayat board building for running the office of the Panchayat.

2. According to the petitioner, the proposed construction of the panchayat office in the forest area is with an ulterior motive and there is no dwelling house or no resident in the locality. In this regard, the petitioner submitted representations dated 05.12.2012 and 24.12.2012 to the respondents. Since no final order has been passed, the present writ petition has been filed for the relief stated supra.

3. Without going into the merits of the petitioner's claim, the first respondent is directed to consider the representations of the petitioner on its own merit and in accordance with law. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority concerned is free to deal with the matter on its own merit as per law.

4. The writ petition is disposed of as above. No costs. Consequently, M.P(MD)No.1 of 2013 is closed.

Sd/-

The Assistant Registrar

/True copy/

Sub-Assistant Registrar

To

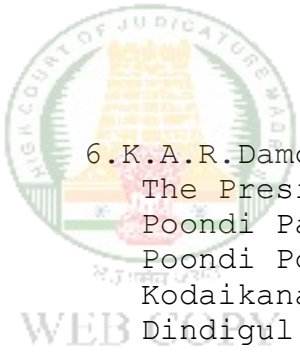
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Poondi Panchayat,
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Kodaikanal Taluk,
Dindigul District.

+1cc to Mr.V.Illanchezian, Advocate SR.No.45904/15

sms

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