

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.10932 of 2016

G.Lakshmi

... Petitioner

vs.

1.The District Collector,
Thiruvallor,
Thiruvallor District.

2.The Tahsildar,
Ambaththur Taluk,
Thiruvallor District.

3.The Village Administrative Officer,
Morai Ooratchi Manram,
Chennai-55.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to give the House Construction Permission to the petitioner (Plot No.1520-A, Kanniyamman Nagar Extension, Morai Ooratchi Manram, Chennai-55, House Tax No.3893) and consider the petitioner representation to the respondents on 15.3.2016.

For Petitioner : Mr.M.Senthamizh Selvan

For Respondents : Mr.Karthikeyan,
Govt. Advocate.

सत्यमेव जयते
ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to give the House Construction Permission in her favour for Plot No.1520-A, Kanniyamman Nagar Extension, Morai Ooratchi Manram, Chennai-55, (House Tax No.3893), by considering her representation dated 15.3.2016.

2.It is the case of the petitioner that previously she resided near the bank of Ambattur Lake along with 3000 people. Later, the people living in that area were vacated and instead, they were given plots. In that process, she got Plot No.1520-A, Kanniyamman Nagar, Morai Ooratchi Manram, Chennai and she is

living in the said plot along with the 3000 people, by paying tax to the Village President of Morai Oortchi Manram and the house tax number is 3893. From the beginning, the petitioner was residing under a thatched house. Now, she decided to demolish the thatched house and to construct a cement house. Hence, on 12.2.2016, the petitioner applied for permission before the third respondent to construct a house. But, the third respondent did not allow the petitioner to construct a house in the said plot. Hence, the petitioner made a representation dated 15.3.2016 to the respondents to allow her to construct a house in the said plot. Till now, the respondents did not take any action on her representation. Hence, the petitioner has come up with the present writ petition for a mandamus directing the respondents to give the House Construction Permission in her favour for Plot No.1520-A, Kanniyamman Nagar Extension, Morai Ooratchi Manram, Chennai-55, (House Tax No.3893), by considering her representation dated 15.3.2016.

3. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate, who has taken notice on behalf of the respondents.

4. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the second respondent to consider the representation of the petitioner dated 15.3.2016 and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as to the other necessary parties, if any, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court is not expressing any opinion with regard to the claim made by the petitioner and it is for the second respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Thiruvallor,
Thiruvallor District.

2.The Tahsildar,
Ambaththur Taluk,
Thiruvallor District.

3.The Village Administrative Officer,
Morai Ooratchi Manram,
Chennai-55.

+1cc to Mr.M.Senthamizh Selvam, Advocate, S.R.No.18312
+1cc to the Government Pleader, S.R.No.19009

W.P.No.10932 of 2016

ctk(CO)
srg(11/04/2016)



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