

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.9493 of 2014
and
M.P.Nos.1 and 2 of 2014

S.Indhumathi
represented by her Power Agent
N. Shenbagavalli. ... Petitioner

Vs.

1.The State of Tamil Nadu
represented by its Secretary to Government
Department of Municipal Administration &
Local Authority
Fort St. George
Chennai-9.

2.The Commissioner
Corporation of Chennai
Chennai-3.

3.The Deputy Commissioner
Zone-III, Corporation of Chennai
Madhavaram,
Chennai-60.

4.The Councilor
24th Ward
Corporation of Chennai
Puthagaram
Chennai-99.

5.Junior Engineer
Tamil Nadu Electricity Board
Madhavaram
Chennai-60.

... Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the respondents 2 and 3 to consider and pass orders on the representation of the petitioner, dated 24.3.2014 and to remove the post erected for sodium lamps in the Plot No.1A, Purushothaman Nagar Extension (Annex)

Puthagaram, Chennai-99 comprised in Survey No.66/3A ID measuring 320 sq.ft. forthwith.

For Petitioner : M/s.A.S.Mujibur Rahman

For Respondent No.1 : Mr.P. Karthikeyan
Government Advocate

For Respondent Nos.2 to 4 : Mr.T.C.Gopalakrishnan

For Respondent No.5 : Mr.Raameshuwar

ORDER

Heard the learned counsel, appearing on behalf of the petitioner, as well as the learned counsel, appearing on behalf of the respondents.

2. This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, directing the respondents 2 and 3 to consider the representation of the petitioner, dated 24.3.2014 and to dispose of the same and also to remove the post erected for sodium lamps, in the Plot No.1A, Purushothaman Nagar Extension (Annex) Puthagaram, Chennai, comprised in Survey No.66/3A ID, measuring 320 sq.ft., forthwith.

3. Though various grounds have been raised in the affidavit filed in support of the writ petition, the learned counsel, appearing on behalf of the petitioner, has submitted that it would suffice, if the second respondent is directed to dispose of the representation, dated 24.3.2014, on merits and in accordance with law, within the time frame, as may be fixed by this Court.

4. In view of the averments made in the affidavit filed in support of the writ petition and in view of the submissions made by the learned counsel, appearing on behalf of the petitioner, this Court finds it appropriate to direct the second respondent to dispose of the representation of the petitioner, dated 24.3.2014, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner, as well as the other persons concerned, if any. The petitioner shall furnish a copy of the representation, dated 24.3.2014, to the second respondent, along with a copy of this order. However, it is made clear that this Court has not expressed any opinion on the merits of the matter, by passing this order.

5. The writ petition is disposed of, with the above directions. No costs. Consequently, connected M.Ps. are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rnb

To

1.The Secretary to Government
State of Tamil Nadu
Department of Municipal Administration &
Local Authority
Fort St. George
Chennai-9.

2.The Commissioner
Corporation of Chennai
Chennai-3.

+1cc to M/s.A.S.Mujibur Rahman, Advocate, S.R.No.42793
+1cc to Mr.T.C.Gopalakrishnan, Advocate, S.R.No.42695
+1cc to the Government Pleader, S.R.No.43009

W.P.No.9493 of 2014
and
M.P.Nos.1 and 2 of 2014

RSY(CO)
CA(24/08/2016)

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