

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.22258 of 2016

Sathuvachari Educational Trust,
Rep. by its Managing Trustee,
A.Syed Ahmed Niyas,
Sathuvachari, Vellore - 632 009

.. Petitioner

Vs.

1.The District Collector,
Vellore.

2.The Revenue Divisional Officer,
Vellore.

3.The Commissioner,
Vellore Corporation, Vellore.

4.The Executive Officer,
Grade III Municipality
Sathuvachari, Vellore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent herein to forthwith grant No Objection Certificate for putting up construction of a Prayer Hall for the Muslims in the petitioner's property situate at Door No.1260Q, Phase III, Tamil Nadu Housing Board Part II comprised in Survey No.622/1 Part, Sathuvachari Village, Vellore.

For Petitioner : Mrs.AL.Gandhimathi
For R1 & R2 : Mr.S.Pattabiraman
Government Advocate
For R3 & R4 : M/s.P.Shanthi

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner Trust prayed for permission to construct Prayer Hall in Vellore Town Survey No.522/1, Plot No.1260Q, Jamathi Aruvi Road, Phase-II, Sathuvachari, Vellore District, and submitted a representation dated 01.06.2015 to the 1st respondent, who in turn, vide letter dated 17.03.2016 in Na.Ka.C3/11868/2015 asked for the report from the respondents 2 to 4 as to the construction of the Prayer Hall. The grievance expressed by the petitioner is that so far, no orders have been passed to dispose of the representation submitted by the petitioner and therefore, the petitioner came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner ; Mr.S.Pattabiraman, learned Government Advocate who accepts notice on behalf of the respondents 1 and 2 and M/s.P.Shanthi, learned counsel who accepts notice on behalf of the respondents 3 and 4.

4 Though the petitioner has prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner either in this writ petition or in his representation, directs the respondents 2 and 3 as well as the Superintendent of Police, Vellore District, to respond to the communication of the 1st respondent dated 17.03.2016 in Na.Ka.C3/11868/2015 within a period of six weeks from the date of receipt of a copy of this order and the 1st respondent, on receipt of such report, is directed to consider the representation of the petitioner dated 01.06.2015 on merits and in accordance with law and pass orders within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner.

5 The writ petition is disposed of with the above direction. No costs.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

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Sub-Assistant Registrar

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To

1.The District Collector,
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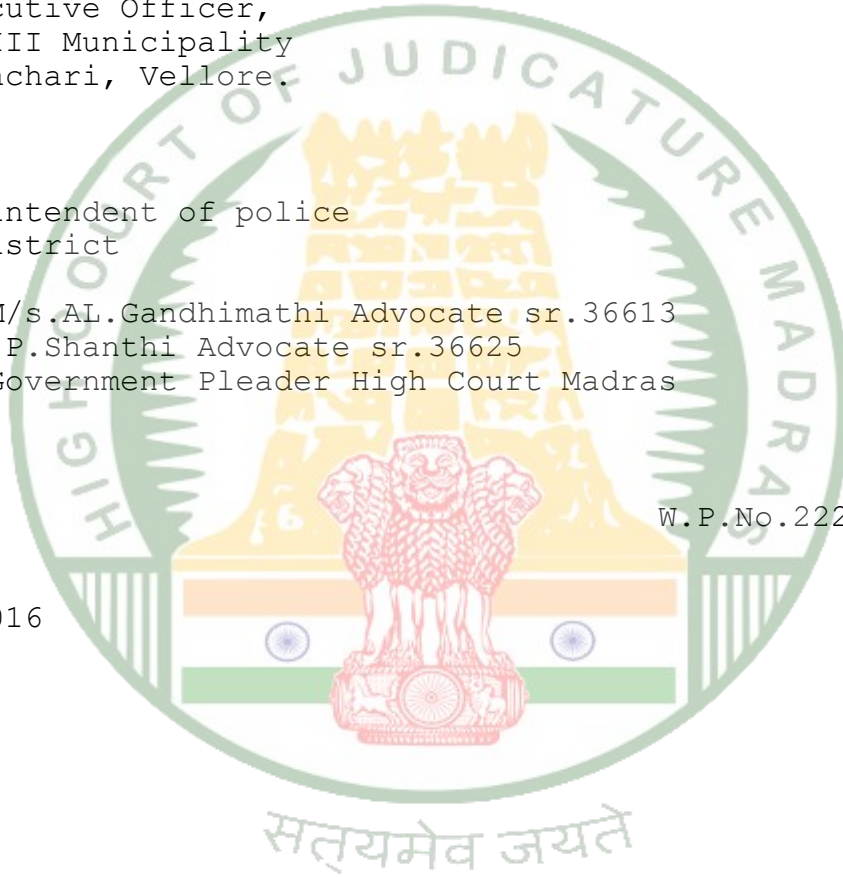
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The Superintendent of police
Vellore District

+1 cc to M/s.AL.Gandhimathi Advocate sr.36613
+1 cc M/s.P.Shanthi Advocate sr.36625
+1 cc to Government Pleader High Court Madras
sr 36510

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