

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.28934 of 2016
and
W.M.P.No.25013 of 2016

G. Suresh Kumar

..Petitioner

vs.

1. The Secretary to the Government
Municipal Administrative Department
Fort St.George
Chennai 600 009.
2. The District Collector
Thiruvallur District.
3. The Tahsildar
Taluk Office, Poonamallee
Chennai.
4. The Executive Officer
Thirumazhisai Municipality Office
Thirumazhisai
Poonamallee Taluk
Chennai.
5. The Inspector of Police
B-7, Police Station
Vellavedu, Chennai.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the fourth respondent to stop laying the road in the petitioner's property at Old Survey No.71 and New Survey No.302/2 by considering the representation of the petitioner dated 28.07.2016.

For Petitioner : Mr.P.Murali

For Respondents : Mr.P.S.Sivashanmuga Sundaram

Special Government Pleader

for RR1 to 3 and 5

Mr.A.Kumar

Special Government Pleader for R4

ORDER

(Order of the Court was made by M.JAICHANDREN,J.,)

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

2.This writ petition has been filed to issue a WRIT OF MANDAMUS, directing the fourth respondent, to stop laying the road in the petitioner's property, at Old Survey No.71 and New Survey No.302/2, in Nedunchery Village, Thiruvallur District, by considering the representation, dated 28.07.2016, submitted by the petitioner.

3.Though various grounds have been raised in the affidavit filed in support of the writ petition, the learned counsel appearing for the petitioner has submitted that it would suffice, if the second respondent, viz., the District Collector, Thiruvallur District, is directed to dispose of the petitioner's representation, dated 28.07.2016, on merits and in accordance with law, within a specified period.

4.The learned counsel appearing on behalf of the respondents have no objection for such an order being passed by this Court.

5.In view of the submissions made by the learned counsels appearing on either side, the second respondent, viz., the District Collector, Thiruvallur District, is directed to dispose of the petitioner's representation, dated 28.07.2016, 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 and other persons concerned, if any. The petitioner shall furnish a copy of his representation, dated 28.07.2016, to the second respondent, along with a copy of this order. However, it is made clear that this Court, by this order, has not expressed any opinion on the merits of the matter.

6.The writ petition is disposed of, with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

vj2

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Secretary to the Government
Municipal Administrative Department
Fort St.George
Chennai 600 009.
2. The District Collector
Thiruvallur District.
3. The Tahsildar
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Chennai.
4. The Executive Officer
Thirumazhisai Municipality Office
Thirumazhisai
Poonamallee Taluk
Chennai.
5. The Inspector of Police
B-7, Police Station
Vellavedu, Chennai.

+ 1 cc to MR.P.MURALI, ADVOCATE SR 47332

KR/1/9/16

W.P.No.28934 of 2016

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