

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2016

CORAM

THE HON'BLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.3521 of 2016 &
WMP No.2871 of 2016

N.Murugan

[PETITIONER]

Vs

1 The Corporation Commissioner
Avadi Municipality
Avadi, Chennai-54.

2 N.Shankar

[RESPONDENTS]

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to forbear the first respondent from granting continuous permission to lay drainage connection for 2nd respondent on the petitioner's Patta land at No.1/1 Dharmaraja Koil Street Paruthipattu Avadi Chennai considering by petitioner's representation dated 15.12.2015.

For Petitioner .. Mr.B.Chandran

For Respondents .. Mr.R.Lakshmi Narayanan
Addl.Government Pleader
for R1

O R D E R

With the consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. Heard Mr.B.Chandran, learned Counsel appearing for the petitioner and Mr.R.Lakshmi Narayanan, learned Additional Government Pleader accepting notice for the first respondent.

3.The petitioner has a grievance against the respondent Municipality, stating that they are attempting to draw the drainage line through his private patta land, without his consent for providing drainage to the second respondent.

4.It is not known as to whether the first respondent is carrying on the drainage work, since normally such a type of work

is entrusted to the Chennai Metro Water Supply and Sewerage Board. It is stated that the petitioner has sent a representation to the first respondent by 'Speed Post' on 27.10.2015. However, there is no acknowledgement produced to show that the representation has been received by the Office of the first respondent. In any event the representation submitted by the petitioner is pending before the first respondent, who could take a decision in the matter.

5. In the light of the above, the petitioner directed to give a fresh representation along with the copy of this order to the first respondent and on receipt of the same, the first respondent shall consider the said representation and after notice to the petitioner and the second respondent, pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of the representation.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst. Registrar (CS VII)

/true copy/

Sub Asst. Registrar

rpa

To

The Corporation Commissioner
Avadi Municipality
Avadi, Chennai-54.

1 cc to Mr.B. Chandran, Advocate, Sr. 6444

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