

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.40155 of 2016

R.Subbiah

.. Petitioner

-vs-

1.The Commissioner,
Perambalur Municipality,
Perambalur District.

2.Karikalan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the first respondent to pass orders based on the inquiry conducted on 24.6.2015 pursuant to the representation dated 13.4.2015 within a reasonable time frame as this Hon'ble Court deems fit in the circumstances of the case.

For Petitioner : Mr.A.Shamsudeen Raja

For Respondents : Mr.R.Vijayakumar
Addl. Govt. Pleader for R1

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The allegation of the petitioner is against respondent No.2 of having encroached on the common pathway. Proceedings were initiated by the Commissioner, Perambalur Municipality/respondent No.1 and notice was issued, including to the petitioner dated 04.06.2015 to appear on 24.06.2015. The petitioner claims to have appeared on the said date, but there is no final view stated to have been taken one way or other for about 2½ years after that or atleast not communicated to the petitioner. The alleged encroachment continues to subsist.

2. This is nth time we are stating that non-disposal or non-communication of the decision on administrative matters is

resulting in unnecessary litigation being filed in this Court. The present case is one further example of this.

3. We may notice that in terms of G.O. (Ms) No.99, Personnel and Administrative Reforms (A) Department, dated 21.09.2015, all representations are required to be decided within a period of one month. Thus, the conduct of respondent No.1 appears to be in breach of the aforesaid Government Order.

4. We, thus, direct respondent No.1 to take a decision, if not already taken, and if already taken, to communicate the decision to the petitioner within a period of one month of the receipt of the copy of this order. We further direct, in view of the conduct recorded aforesaid, that any representation pending with respondent No.1 must be disposed of within the time stipulated as per G.O. (Ms) No.99, Personnel and Administrative Reforms (A) Department, dated 21.09.2015.

5. The writ petition, accordingly, stands disposed of. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

The Commissioner,
Perambalur Municipality,
Perambalur District.

+1 cc to M/s.A.Shamsudeen Raja,advocate,sr.66626

+1 cc to Govt Pleader,sr.66308.

mv(co)
krd 28/11

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