

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6763 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated above it is prayed that this Hon'ble court may be pleased to issue a Writ or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents 2 and 3 not implementing the Municipal resolutions item No.35 dated

24-10-2014 and resolution dated 12-05-2015 for laying drainage which was sanctioned for the public purpose is illegal, arbitrary, unjust and violation of principles of natural justice and consequently direct the respondents to implement the Municipal resolutions dated 24-10-2014 and 12-05-2015 for laying drainage which was sanctioned for the public purpose by considering the petitioner representations dated 11-12-2015 and 14-12-2015 and to pass such orders as it may deem fit and just.”

It appears that the petitioner already submitted representations dated 11.12.2015 and 14.12.2015 in relation to the laying of a drainage pursuant to the Municipal Resolutions. As the authorities are yet to apply their mind to the afore-stated representations, this Court does not deem it necessary to entertain this writ petition for adjudication on merits.

As this Court does not propose to venture into the merits of the matter, there is no necessity to put the unofficial respondent on notice.

The writ petition is accordingly disposed of directing the respondent authorities to consider the petitioner's representations dated 11.12.2015 and 14.12.2015 in the light of the Municipal Resolutions dated 24.10.2014 and 12.05.2015 and take appropriate action in the matter in accordance with law. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in

the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

2nd March, 2016
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