

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.23720 of 2017

R.Balasundaram

... Petitioner

Vs.

1. The Commissioner,
HR & CE Department,
Nungambakkam, Chennai - 600 034.

2. The Assistant Commissioner,
HR & CE Department,
Dr.Balasundaram Road, Coimbatore.

3. The Executive Officer,
Arulmighu Lakshmi Narayana
Venugopalasamy Temple,
Coimbatore.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to dispose of the petitioner's representation dated 24.07.2017 and attorn the tenancy of the properties bearing Nos.34/37, 35/113, 34/44 at Selvapuram, Coimbatore in favour of the petitioner.

For Petitioner : Ms.Shobana Ramasubramaniyan

For Respondents : Mr.M.Maharaja,
Special Government Pleader(HR & CE)

ORDER

Mr.M.Maharaja, learned Special Government Pleader takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents to dispose of the petitioner's representation dated 24.07.2017 and attorn the tenancy of the properties bearing Nos.34/37, 35/113, 34/44 at Selvapuram, Coimbatore in favour of the petitioner.

3. The learned counsel for the petitioner submitted that in view of the Government Order in G.O.Ms.No.340 dated 06.08.2007, the petitioner gave a representation to the 1st respondent to attorn the tenancy in his favour. However, the 1st respondent has not considered the same yet.

4. Mr.M.Maharaja, learned Special Government Pleader appearing for the respondents submitted that the petitioner has given the representation only to the 1st respondent and he has not given any representation to the Joint Commissioner, Coimbatore, who is the competent authority to decide the representation given by the petitioner.

5. In view of the submissions made by the learned counsel on either side, I direct the petitioner to give a fresh representation to the Joint Commissioner, Coimbatore within one week from the date of receipt of a copy of this order and on receipt of the same, the Joint Commissioner, Coimbatore is directed to consider the same and pass orders in accordance with law, within a period of four weeks from the date of submission of the representation.

6. With these observations, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
HR & CE Department,
Nungambakkam, Chennai - 600 034.

2. The Assistant Commissioner,
HR & CE Department,
Dr.Balasundaram Road, Coimbatore.

3. The Executive Officer,
Arulmighu Lakshmi Narayana
Venugopalasamy Temple,
Coimbatore.

4. The Joint Commissioner,
Coimbatore.

+1cc to MS.B.Sumithra, Advocate, S.R.No.11486

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PVS (CO)
CS/22/09/17



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