

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.No.26642 of 2017

D. Sundarrajan ... Petitioner

Vs.

1. The District Collector,
O/o. The District Collectorate,
Tiruvallur.

2. The Executive Officer,
Tirunindravur Town Panchayat,
CTH Road, Tirunindravur - 602 024.

3. The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

4. Dhanalakshmi ... Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to dispose of the petitioner representation dated 10.08.2017.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : Mr.A.N.Thambidurai
Special Government Pleader for R1 & R2
: Mr.N.Sampath for R-3

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

By consent the writ petition is taken up for final

disposal. Mr.A.N.Thambidurai, learned special Government Pleader, accepts notice on behalf of the respondent 1 and 2 and Mr.N.Sampath, learned standing counsel accepts notice on behalf of the 3rd respondent.

2 The deponent of the affidavit is the power of attorney agent of the writ petitioner and according to him, the property had been purchased from one Mr.Haribabu bearing plot No.1, in survey No. 208/13 admeasuring to an extent on 3020 Sq.ft. in the layout known as "Thiru-Vi-Ka Nagar", Thirunindravur Village, Tiruvallur District, through a registered document bearing No.297 of 2006 dated 23.01.2006.

3 The petitioner would further state that during the year 2002, one Rangaswamy Pillai, father of the 4th respondent had purchased plot No.4 in the same layout through a registered document bearing No.3650 of 2002 and he in turn, had executed a Settlement deed in favour of his son through a registered document No.9709 of 2013 dated 08.08.2013.

4 It is specific case of the petitioner that the 4th respondent had started putting up a construction without obtaining any planning permission and that apart, he has also encroached the area earmarked for road as per the layout and constructed a compound wall and in this regard, the petitioner has submitted representations dated 01.10.2015 and 10.08.2017 to the respondents 1 to 3 and in spite of receipt and acknowledgment, so far no orders have been passed and hence, came forward to file this writ petition.

5 This Court heard the submissions of the learned counsel appearing for the petitioner and Mr.A.N.Thambidurai learned special Government Pleader, appearing for respondent 1 and 2 and Mr.N.Sampath learned standing counsel accepts notice on behalf of the 3rd respondent.

6 Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances of this case and without going into the merits of the same, directs the second respondent to put the petitioner well as the 4th respondent on notice and thereafter, consider and dispose of the representations dated 01.10.2015 and 10.08.2017 respectively on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken by the petitioner as well as the 4th respondent herein.

7 The writ petition stands disposed of accordingly. No costs.

rka/smn

sd/
ASSISTANT REGISTRAR

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

To

1. The District Collector,
O/o. The District Collectorate,
Tiruvallur.
2. The Executive Officer,
Tirunindravur Town Panchayat,
CTH Road, Tirunindravur - 602 024.
3. The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

+1CC to M/S.K.BALASUBRAMANIAM Advocate SR.NO.73915
+1CC to M/S.N.SAMPATH Advocate SR.NO.73872
+1CC to Govt Pleader SR.NO.74775

W.P.No.26642 of 2017

AD[CO]
MK:22/11/2017

सत्यमेव जयते

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