

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.30409 of 2016

S.Marappan,

...Petitioner

Vs.

1. The Commissioner,
Tiruchengode Municipality,
Tiruchengode, Namakkal District.

2. The Tahsildar,
Tiruchengode Taluk,
Tiruchengode, Namakkal District,

3. Muthu,
S/o.Sengoda Gounder,
No.40/1, CHB Colony West,
Poultry Farm Street, Tiruchengode,
Namakkal District.

...Respondents

Prayer: This writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus order or direction in the nature of writ, directing the 1st respondent to consider and pass order on merits by disposing the written representation made by the petitioner on 21.06.2016 within a stipulated time.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr. V.Jayaprakash Narayanan,
Special Government Pleader for R1
Mr.K.J.Siva Kumar,
Government Advocate for R2
Mr.P.Valliappan for R3

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the 1st respondent to consider and pass order on merits by disposing the written representation made by the petitioner on 21.06.2016 within a stipulated time.

2.Though the petitioner has sought for an innocuous prayer directing the first respondent to consider and pass orders on his written representation which has been made to

measure the respective properties of the petitioner and the third respondent, this court is not inclined to consider the same.

3. Admittedly, the third respondent has filed a suit earlier which is pending consideration on the file of the District Munsif Court, Tiruchengode in O.S.No.395/2015. Therefore, the parties are at liberty to seek appropriate relief in the pending suit. In such view of the matter, this court is not inclined to pass any order.

4. At the juncture, the learned counsel for the petitioner submits that the suit may be directed to be disposed of at an early date.

5. Consider the said submission made, a direction is issued to the District Munsif Court, Tiruchengode to dispose of O.S.No.395/2015 within a period of four months from the date of receipt of copy of this order.

6. With the above direction, the above petition is disposed of. No costs.

-s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1. The District Munsif
Tiruchengode
 2. The Commissioner,
Tiruchengode Municipality,
Tiruchengode, Namakkal District.
 3. The Tahsildar,
Tiruchengode Taluk,
Tiruchengode, Namakkal District,
- +1 CC to M/s. C. Prakasam, Advocate sr 23742
+1 CC to Mr. V. Jayaprakash Narayanan, Advocate sr 23720
+1 CC to Mr. P. Valliappan, Advocate sr 23638
+1 CC to The Govt. Pleader sr 23528

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MP (CO)
sp/25/4