

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.30643 of 2016

Thirunavukkarasu

... Petitioner

Vs.

1.The Principal Secretary to the
Government of Tamil Nadu
Municipal Administration and
Water Supply Department,
Secretariat, Chennai - 600 009.

2.Municipal Commissioner,
Maraimalai Nagar Municipality,
Maraimalai Nagar,
Kanchipuram District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 13.07.2016 and direct the respondents to remove the public instant toilet situated at No.77, Keelkaranai Village, Chenglepet Taluk, Kanchipuram District comprised at Gramanatham Old Survey No.136/Part, Gramanatham New Survey No.136/2 which is set up in the part of the petitioner's premises and to take suitable action.

For Petitioner : Ms.S.K.Subathra

For Respondents: Mr.M.Elumalai, Government Advocate (R2)
Mr.P.V.Selvakumar (R1)

ORDER

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 13.07.2016 and direct the respondents to remove the public instant toilet situated at No.77, Keelkaranai Village, Chenglepet Taluk, Kanchipuram District comprised at Gramanatham Old Survey No.136/Part, Gramanatham New Survey No.136/2 which is set up in the part of the petitioner's premises and to take suitable action.

2.The learned counsel appearing for the petitioner submitted that inspite of the petitioner's representation dated 13.07.2016 for removing the public toilet put up in the

petitioner's land, the 2nd respondent has not passed any order so far.

3.Mr.M.Elumalai, learned Government Advocate appearing for the 2nd respondent submitted that the 2nd respondent may be directed to consider the petitioner's representation and pass orders in accordance with law, within a time frame.

4.Having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representation dated 13.07.2016 and pass orders in accordance with law, after giving an opportunity of personal hearing to the petitioner, within a period of three weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary to the
Government of Tamil Nadu
Municipal Administration and
Water Supply Department,
Secretariat, Chennai - 600 009.

2.Municipal Commissioner,
Maraimalai Nagar Municipality,
Maraimalai Nagar,
Kanchipuram District.

+ 1 cc to M/s. M. Malar, Advocate Sr.54664
+ 1 cc to Government Pleader Sr.54598

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AK(CO)
EU 17.08.17