



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.16724 of 2014 and
M.P.Nos.1/2014 & 1/2015

S.Rajasekaran

... Petitioner

-vs-

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Assistant Director,
Office of the Manamadurai Town Panchayat,
District Collector Compound, Sivagangai.

3. The Executive Officer,
Manamadurai Selection Grade Town Panchayat,
Manamadurai, Sivagangai District.

4. The Tahsildar,
Manamadurai Taluk,
Sivagangai District.

5. M.Nagaraj @ Raja

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 3rd respondent to cancel the approved plan no.45/2014 on 28.7.2014 to the 5th respondent and to take action based on the petitioner's representation dated 16.9.2014.

For Petitioner ... Mr.Madhavan Govindan
For R1 to R4 ... Mr.S.Kumar
Addl. Govt. Pleader
For R5 ... Mr.M.Saravanakumar

O R D E R

This writ petition has been filed, seeking to direct the 3rd respondent to cancel the approved Plan No.45 of 2014 dated 28.7.2014, issued to the 5th respondent and to take action based on the petitioner's representation dated 16.9.2014.

2. Heard the learned counsel for the parties.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The case of the petitioner is that the 5th respondent, without any title and by way of forged documents, had obtained the



Plan Approval No.45 of 2014 from the 3rd respondent. Hence, the petitioner made a representation dated 16.09.2014 to the third respondent for cancellation of the plan approval. Since the said representation did not evoke any response, he is before this Court with the above prayer.

WEB COPY

4. Under such circumstances, this Court, without going into the merits of the matter, directs the 3rd respondent to consider the representation of the petitioner dated 16.09.2014 and pass necessary orders thereon on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing both to the petitioner and the fifth respondent as well.

With the above direction, this petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Assistant Director,
Office of the Manamadurai Town Panchayat,
District Collector Compound, Sivagangai.
3. The Executive Officer,
Manamadurai Selection Grade Town Panchayat,
Manamadurai, Sivagangai District.
4. The Tahsildar,
Manamadurai Taluk,
Sivagangai District.

+ 1 CC TO Mr.N.MADHAVA GOVINDAN, ADVOCATE IN SR No. 69477
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 70609
+ 1 CC TO Mr.M.SARAVANAKUMAR, ADVOCATE IN SR No. 69485

AR

TE/MR-KKR/SAR-IV : 10/08/2017 : 2P/8C

W.P(MD)No.16724 of 2014 and
M.P.Nos.1/2014 & 1/2015
02.08.2017