



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.01.2017

CORAM

THE HONOURABLE MR. JUSTICE K. RAVICHANDRABAABU

W.P (MD) No.16001 of 2015

WEB COPY

P.Meena

.... Petitioner

vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Executive Engineer/Administrative Officer,
Tamil Nadu Housing Board,
Madurai Housing Board Section,
Ellis Nagar,
Madurai - 16.

3.Karupayee

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 16.03.2015 in accordance with law within the time stipulated by this Court and thereby conduct an enquiry in the manner known to law after providing opportunity to the third respondent and cancel the allotment given to the third respondent with respect to Door No.B-10, Melavasal Colony, Madurai, within the time stipulated by this Court.

For Petitioner : Mr.D.Sadiq Raja

For Respondents : Mr.C.Selvaraj
Special Government Pleader
for R1 and R2

O R D E R

Aggrieved against the allotment order issued in favour of the third respondent by the second respondent, the petitioner approached the first respondent through his representation dated 16.03.2015 and sought for cancellation of such allotment. Since the said representation is not disposed of so far, the present writ petition is filed seeking for a Mandamus directing the first respondent to consider the said representation in accordance with law after giving due opportunity of hearing to the third respondent.

<https://hccs.court.gov.in/laservive>

2. Considering the limited scope of the prayer sought for in this writ petition, this Court is of the view that notice to the third respondent can be dispensed with, since the order passed in



this writ petition is not going affect the third respondent in any manner. Accordingly, notice to the third respondent is dispensed with.

3. The petitioner is aggrieved against the order of allotment issued in favour of the third respondent. Therefore, she approached the first respondent and file thereafter, filed the above-said writ petition. Needless to say that it is for the first respondent to consider the said representation and pass orders on the same on merits and in accordance with law also by giving due opportunity of hearing to the third respondent.

4. Accordingly, without expressing any view on the claim made by the petitioner, I only direct the first respondent to consider the representation of the petitioner, dated 16.03.2015 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the third respondent. Such exercise shall be done by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar[Writs]

/True copy/

Sub Assistant Registrar/-

To

1.The District Collector,
Madurai District,
Madurai.

2.The Executive Engineer/Administrative Officer,
Tamil Nadu Housing Board,
Madurai Housing Board Section,
Ellis Nagar,
Madurai - 16.

+1cc to M/s D.SadiqRaja, Advocate, SR.280.

+1cc to Special Government Pleader, SR.No.457

SKN

KK-GSV-SV-23.01.17-2P-5C

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