



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P.(MD) No.21406 of 2017

I.Hyder Ali

... Petitioner

-vs-

1. The District Collector,
O/o.the District Collectorate,
Ramanathapuram,
Ramanathapuram District.

2. The Block Development Officer,
O/o.the Block Development Office,
Pattinamkathan Panchayat Union Office,
Ramanathapuram District.

3. The Special Officer,
Pattinamkathan 1st Grade Panchayat,
Mandapam Union,
Ramanathapuram Taluk,
Ramanathapuram District.

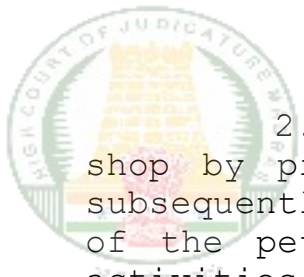
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to receive the monthly rent and issue challan / receipt in respect of petitioner's petty shop situated in S.No.500 at Bharathi Nagar, Pattinamkathan, Ramanathapuram Taluk, Ramanathapuram District, by considering the petitioner's representation dated 25.10.2017 within the period that may be stipulated by this Honble Court.

For Petitioner : Mr.C.Venkatesh Kumar
For Respondents : Mr.J.Gunaseelan Muthiah
Govt. Advocate

O R D E R

This writ petition has been filed, seeking a direction to the 3rd respondent to receive the monthly rent and issue challan / receipt in respect of petitioner's petty shop situated in S.No.500 at Bharathi Nagar, Pattinamkathan, Ramanathapuram Taluk, Ramanathapuram District, by considering the petitioner's representation dated 25.10.2017.



2. The case of the petitioner is that he was allotted a shop by proceedings of the 3rd respondent in the year 2012 and subsequently, pursuant to the litigation raised by the neighbour of the petitioner, he could not be able to start his business activities. However, the writ petition filed by his neighbour in W.P. (MD) No.3962 of 2017 came to be dismissed on 31.01.2017, on account of which, the petitioner made a representation to the respondents 1 & 3 for confirmation of his allotment and also acceptance of the required rent as fixed by the authorities. Since there was no response on the said representation, he is before this Court with the above prayer.

3. The learned Government Advocate appearing for the respondents would submit that the 3rd respondent is the competent authority to pass an order of allotment and if a reasonable time is granted to the third respondent, the representation of the petitioner will be considered and appropriate orders passed.

4. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the third respondent to consider the representation of the petitioner dated 25.10.2017 and pass suitable orders thereon on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

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

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector, O/o. the District Collectorate, Ramanathapuram, Ramanathapuram District.
 2. The Block Development Officer, O/o. the Block Development Office, Pattinamkathan Panchayat Union Office, Ramanathapuram District.
 3. The Special Officer, Pattinamkathan 1st Grade Panchayat, Mandapam Union, Ramanathapuram Taluk, Ramanathapuram District.
- +1CC to M/S.Ajmal Associates, SR.No. 91596
+1CC to the Special Government Pleader SR.No.91971

W.P. (MD) No.21406 of 2017

07.12.2017