



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.4347 of 2017

and

W.M.P (MD) No.3496 of 2017

A.Palpandi

.. Petitioner

Vs.

1. The State of Tamil Nadu rep. by
the Principal Secretary to Government,
Department of Municipal Administration
and Water Supply, Fort St. George,
Chennai - 600 009.

2. The Commissioner,
Madurai Corporation,
Anna Maligai, Madurai - 625 002.

.. Respondents

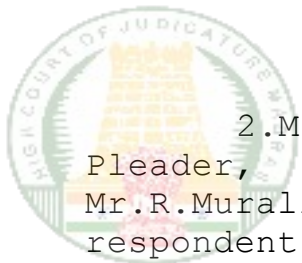
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to dispose of the Revision Petition preferred by the petitioner under Section 44 of the Madurai City Municipal Corporation Act, 1971 on 09.02.2017 with reference to the petitioner's property Old Door No.47/9, New Door No.71H, Chokkalinga Nagar 8th Street, Ponmeni Village, Madurai, within the limits of Madurai Corporation in Survey No.102/7A an extent of 49 sq. feet, within the time frame fixed by this Court and consequently directing the second respondent to keep the proceedings of the second respondents in Ma dhi.1/38381/16, dated 30.01.2017 in abeyance until the decision of review petition by the first respondent.

For Petitioner : Mr.T.Lajapathi Roy
For Respondent No.1 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.
For Respondent No.2 : Mr.R.Murali

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the first respondent to dispose of appeal filed by the petitioner under Section 44 of the Madurai City Municipal Corporation Act, 1971, on 09.02.2017 as early as possible, by way of issuing a writ of mandamus.



2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, has taken notice for the first respondent and Mr.R.Murali, learned counsel, has taken notice for the second respondent.

3.The learned counsel appearing for the petitioner has advanced his argument to the effect that on 09.02.2017, the petitioner has filed the appeal mentioned in the petition and under the said circumstances necessary direction has to be given to the first respondent to dispose of the same as early as possible within the time limit.

4.The learned Additional Government Pleader appearing for the first respondent has contended to the effect that so many similar appeals are pending on the file of the first respondent.

5.Considering the fact that the appeal mentioned in the petition has been filed only on 09.02.2017 and also considering that so many similar appeals are pending on the file of the first respondent, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the first respondent is directed to dispose of the appeal mentioned in the petition as per seniority. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assitant Registrar(A.S)

/True copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Department of Municipal Administration
and Water Supply, Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
2. The Commissioner,
Madurai Corporation,
Anna Maligai, Madurai - 625 002.

+1cc to M/s.T.LAJAPATHI ROY, Advocate, in SR No. 14939

+1cc to M/s.R.PRABU RAMACHANDRAN, Advocate, in SR No. 14652

+1cc to Special Government Pleader, Sr.No. 15102

SMN

AAM-BS/SAR 3/20.03.2017 2P 6c

ORDER MADE IN
W.P(MD)No.4347 of 2017
and
W.M.P(MD)No.3496 of 2017
15.03.2017