



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.20496 of 2016

WEB COPY

A. Joseph

... Petitioner

Vs.

1. The District Collector,
Dindigul District.

2. The Commissioner,
Corporation of Dindigul,
Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to lay a road in north to south street and drainage in Ward No.43, Gnanaprakasapuram, Jinna Nagar, Begumpore Post, Dindigul District.

For Petitioner : Mr.M.Benazir Begum

For Respondents : Mr.J.Gunaseelanmuthiah
Government Advocate for R1

Mr.J.Lawrance for R2

O R D E R

The petitioner seeks for a direction to the second respondent to lay a road in north to south street and drainage in Ward No.43, Gnanaprakasapuram, Jinna Nagar, Begumpore Post, Dindigul District.

2. The case of the petitioner is that he is residing in a house in Survey No.704/3 situated in Ward No.43, at Jinna Nagar, Begumpore Post, Dindigul District. Though the second respondent corporation is laying road in Ward No.43, he did not come forward to lay road and drainage in the place, in which the petitioner is residing, since a suit in O.S.No.87 of 2016 is pending before the District Munsif Court, Dindigul District. It is the further case of the petitioner that the said place is already classified/declared as street by the Principal Sub Court, Dindigul District, on 29.11.1978. Hence, the petitioner gave a



representation to the respondents on 06.10.2016 for taking appropriate steps for laying road and drainage in the said area. Since no action has been taken, the present writ petition has been filed.

3. Heard the learned Counsel appearing for the petitioner, the learned Government advocate appearing for the first respondent and the learned standing counsel appearing for the second respondent, who would submit that if a reasonable time is granted to the second respondent, appropriate orders will be passed on the representation of the petitioner.

4. In view of the above submission and also considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the second respondent to consider the representation of the petitioner dated 06.10.2016 and pass appropriate orders on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of as above. No costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To:

1.The District Collector,
Dindigul District.

2.The Commissioner,
Corporation of Dindigul,
Dindigul District

+One cc to Mr.J.lawrance, Advocate, SR.No.67173
+One cc to The Special Government Pleader, SR.No.67954
skn
RL/5C/2P/KK/SAR1/7/8/2017

W.P (MD) No.20496 of 2016