



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.05.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P. (MD) No.9601 of 2017

and

W.M.P. (MD) .No.7329 of 2017

M.Alexander

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The Special Officer/
The Block Development Officer,
Muthupettai Village Panchayat,
Muthupettai,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 16.12.2016 and to issue building plan application dated 10.04.2013 under the Tamil Nadu Building Panchayat Rules, 1997.

For Petitioner : Mr.B.Senthilkumar

For Respondents : Mrs.S.Bharathi,
Government Advocate

O R D E R

This writ petition has been filed by the petitioner for issuance of a writ of Mandamus, directing the respondents to consider the petitioner's representation dated 16.12.2016 and to issue building plan application dated 10.04.2013 under the Tamil Nadu Building Panchayat Rules, 1997.

2.The learned Government Advocate takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.At this stage of the hearing of the Writ Petition, the learned counsel appearing on behalf of the petitioner submitted that it would suffice, if the representation of the petitioner, dated 16.12.2016, is directed to be disposed of, by the first respondent, on merits and in accordance with law, within a specified period.

4. The learned Government Advocate appearing on behalf of the



respondents submitted that considering the representation of the petitioner dated 16.12.2016, the first respondent has already directed the second respondent to submit his report on 07.02.2017.

5. At this juncture, the learned counsel for the petitioner submitted that however, till date the representation of the petitioner, dated 16.12.2016, has not been disposed of by the first respondent. Hence, the first respondent may be directed to dispose of the same on merits.

6. In view of the averments made in the affidavit filed in support of this Writ Petition and in view of the submissions made by the learned counsel appearing on behalf of the parties, the first respondent is directed to consider and dispose of the representation of the petitioner, dated 16.12.2016, 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 sufficient opportunity to the petitioner as well as the other interested persons, if any.

7. The Writ Petition stands disposed of with the above directions. No costs. Consequently connected M.P. is closed.

Sd/-

Assistant Registrar (CS III)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District.

2. The Special Officer/
The Block Development Officer,
Muthupettai Village Panchayat,
Muthupettai,
Ramanathapuram District.

+1cc to M/S. The Special Government Pleader, SR.57668/17

+1cc to Mr. C.B. Senthil Kumar, Advocate, SR.57910/17

+1cc to Mr. J. Gunaseelan Muthiah, Advocate, SR.57254/17

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24.05.2017

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KK/SKN/SAR4-05.06.2017-2P-6C