



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.11694 of 2013
and
M.P (MD) No.1 of 2013

J.A.Nizamdeen .. Petitioner

Vs.

1.The Commissioner,
Lingamanayakkan Patti Panchayat Union,
Aravarakurichi Taluk, Karur District.

2.The President,
Lingamanayakkan Patti Panchayat Union,
Aravarakurichi Taluk, Karur District.

3.Arumugam

4.Shanmugam

5.Chellamuthu

.. 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 respondents 1 and 2 herein to consider the representation given by the petitioner, dated 06.06.2013.

For Petitioner : Mr.K.Sathishkumar

For Respondent No.1 : Mr.J.Gunaseelan Muthaiah,
Government Advocate.

For Respondent No.2 : Mr.V.Muruganandam

For Respondent No.5 : Mr.R.Devaraj

For Respondents 3 and 4 : No appearance

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents 1 and 2 to take action with regard to the mistake crept in, in respect of the land given for public utility in the plots, admeasuring 9 acres 16 cents, comprised in Survey No.746, Pallapatti Village, Lingamanaickanpatti Panchayat, based on the petitioner's representation, dated 06.06.2013.



2. Heard the learned counsel appearing for the petitioner, learned Government Advocate, appearing for the first respondent as well as learned counsel appearing for the respondents 2 and 5. Despite notice being served on the respondents 3 and 4 and their names are being printed in the cause list, there is no representation on behalf of them either in person or through counsel.

3. The case of the petitioner is that he purchased a plot bearing No.3 situated in Survey No.746, Pallapatti Village, Lingamanaickanpatti Panchayat, from the respondents 3 and 4. According to the petitioner, now the fifth respondent tried to get approval for the newly drawn lay out, wherein no place is given for public utility and therefore, he made a representation, dated 06.06.2013, to the respondents 1 and 2 and the same has not been considered so far. Therefore, the petitioner is before this Court.

4. The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner, dated 06.06.2013, is directed to be disposed of by the respondents 1 and 2, as per law.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the respondents 1 and 2 to consider the representation of the petitioner, dated 06.06.2013, and pass appropriate orders, if not disposed of earlier, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties including the respondents 3 to 5, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

1. The Commissioner,
Lingamanayakkan Patti Panchayat Union,
Aravarakurichi Taluk, Karur District.

2. The President,
Lingamanayakkan Patti Panchayat Union,
Aravarakurichi Taluk, Karur District.

+One cc to The Special Government Pleader, SR.No.93296
smn

RL/4C/2P/MR/SAR1/4/1/2018

ORDER MADE IN

W.P (MD) No.11694 of 2013
and

M.P (MD) No.1 of 2013
15.12.2017