

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.622 of 2018
W.M.P.No.768 of 2018

D.Soundarrajan

...Petitioner

Versus

The Commissioner,
Tambaram Municipality,
Tambaram,
Chennai - 600 045.

.. Respondent

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the respondent herein to consider and pass orders on the petitioner's representation dated 29.06.2017.

For Petitioner : M/s.V.Balaji
For Respondents : Mr.P.Srinivas

O R D E R

The prayer in the writ petition is for issuance of direction to consider and pass orders on the petitioner's representation dated 29.06.2017.

2. The case of the petitioner is that he is the absolute owner of the property situated at old No.12, Thiruppanar Street, Sundaram Colony, of the Tambaram Municipality in R.S.No.99/1A1(Part) and 100/1A1(Part), present T.S.No.36 part, measuring an extent of 2400 Sq.ft. The petitioner is an ex-service man and senior citizen and he applied for approval of a building plan on 15.09.2016. The respondent returned the application on 19.09.2016, citing the pendency of the writ petition in W.P.No.25440 of 2015.

3. The learned counsel for the petitioner submitted that the petitioner is not a party to the said writ petition and his property was also not involved. Hence, the petitioner gave representation on 29.06.2017 to grant building plan permission. Since no order was passed on the said representation, the present writ petition.

4. Mr.P.Srinivas, learned Standing Counsel for the respondent submitted that the writ petition in W.P.25440 of 2015 was filed challenging the de-reservation order and the contempt application arising out of the order passed, is also

pending and the writ petitioner herein is one of the petitioner in that contempt petition.

5. However, considering the limited prayer sought for by the petitioner, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioner dated 29.06.2017 and pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order, after providing opportunity to the petitioner.

6. With the above observation and direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

pvs

To
The Commissioner,
Tambaram Municipality,
Tambaram,
Chennai - 600 045.

+1cc to Mr.P.Srinivas, Advocate Sr.No.2792
+3cc to Mr.S.Swaminathan, Advocate Sr.No.2282

SAI (CO)
sm:9.2.2018

सत्यमेव जयते

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