

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.16234 of 2016 &

W.M.P.No.32922 of 2016

Mr.Rajendran Chingaravelu,
residing at H.No.6, Lalitha BloomField,
Nanakramguda Road, Khalaguda,
Hyderabad-500 104.

Rep. by Power of Agent Mr.Subramanian,
residing at New No.2/187, Pidarikadu,
Mannakudi Panchayat, Aranthangi Taluk,
Pudukottai District,
Tamil Nadu - 614 616.

Petitioner

Vs.

1.Government of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Fort St.George, Chennai.

2.The Director,
Directorate of Town and Country Planning,
Chengalvarayan Building, 4th Floor, Anna Salai,
Chennai - 600 002.

3.Nallambakkam Village Panchayat,
Rep. by its President,
Nallambakkam, Chengalpattu Taluk,
Kancheepuram District.

4.Unitech Limited,
Rep. by Managing Director,
having registered office at:
No.6, Community Centre,
Saket, New Delhi - 110 017.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to pass orders on the petitioner's representation dated 13.12.2015 and reminder dated 22.04.2016 within a time frame.

For Petitioner : Mr.Sai Srujan
For M/s.Giridhar and Sai

For Respondents : Mr.V.Shanmuga Sundar
Special Government Pleader for R1 and R2

Mr.N.Srinivasan for R3

Mr.B.Manokaran for R4

O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the second respondent to pass orders on the representation of the petitioner dated 13.12.2015 and reminder dated 22.04.2016 within a time frame.

2. Heard Mr.Sai Srujan, learned counsel for the petitioner; Mr.V.Shanmuga Sundar, learned Special Government Pleader for the respondents 1 and 2; Mr.N.Srinivasan, learned counsel for the third respondent and Mr.B.Manokaran, learned counsel for the fourth respondent and perused the records.

3. The learned counsel for the petitioner would submit that the petitioner had given representation to the second respondent, but the Deputy Director rejected the representation without providing an opportunity to the petitioner.

4. The learned counsel for the respondents contended that the petitioner ought to have challenged the rejection order and the present writ petition is not maintainable.

5. The only grievance of the petitioner is that he was not given opportunity at the time of disposal of the representation.

6. In the light of the above fact, this Court without going into the merits, directs the second respondent to pass appropriate orders on the representation of the petitioner dated 13.12.2015 and reminder dated 22.04.2016 on merits and in accordance with law, after providing opportunity to the petitioner and the fourth respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

r n s

To

- 1.The Secretary,
Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George, Chennai.
- 2.The Director,
Directorate of Town and Country Planning,
Chengalvarayan Building, 4th Floor, Anna Salai,
Chennai - 600 002.

+1cc to Mr.GIRIDHAR & SAI Advocate, S.R.No.7214
+1cc to Mr.N.SRINIVASAN Advocate, S.R.No.6843
+1cc to the Government Pleader, S.R.No.7450

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MP (CO)
TR(19/02/2018)

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