

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 02.08.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No. 6095 of 2018****WEB COPY**

K. Balachandran

... Petitioner

vs.

The Commissioner,
Ottanchathiram Municipality,
Ottanchathiram, Dindigul District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's application for building plan approval dated 22.12.2017 relating to the property bearing S.No.77A/1B measuring 9,803.34 sq.ft, Ottanchathiram Village, Dindigul District.

For Petitioner : Mr. PT. S. Narendravasan
For Respondent : Mr. J. Parekhkumar

O R D E R

Heard Mr. PT. S. Narendravasan, learned counsel appearing for the petitioner and Mr. J. Parekhkumar, learned counsel appearing for the respondent.

2. It is the grievance of the petitioner that his application dated 22.12.2017, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's application dated 22.12.2017, on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner and any other persons who may be interested in the subject matter.



5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(W)

WEB COPY

/True Copy/

Sub Assistant Registrar(CS-II)

To:

The Commissioner,
Ottanchathiram Municipality,
Ottanchathiram, Dindigul District.

+1cc to Mr.P.Srinivas, Advocate Sr.No.76692

+1cc to Mr.PT.S.Narendravasan, Advocate Sr.No.76713

SJI

VB/KAK/SAR2/03.09.2018/2P/4C

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