

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 17.04.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH**

W.P.(MD) No.8371 of 2018

T.Palpandi

... Petitioner

vs.

1. The Commissioner
Madurai Corporation
Anna Maligai, Madurai

2. The Assistant Commissioner
Zone-1, Madurai Corporation
T.B.Road, Madurai-10

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to favourably consider the application of the petitioner, dated 26.11.2015 and allot vacant space near Ellis Nagar Housing Board Office in B1 Road, Madurai, taking into consideration of his son's 75% disability expeditiously.

For Petitioner : Mr.C.Godwin

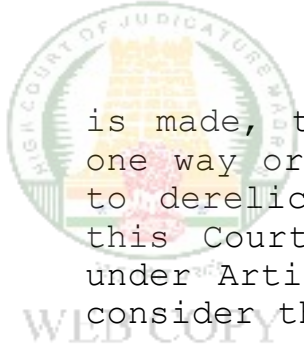
For Respondents : Mr.T.S.Mohammed Mohideen
Standing Counsel**O R D E R**

Mr.T.S.Mohammed Mohideen, learned Standing Counsel, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his application dated 26.11.2015, seeking for allotment of a vacant space situated near Ellis Nagar Housing Board Office, B1 Road, Madurai, to him, has not been considered by the respondents till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the application made by the petitioner. It is needless to point out that whenever an application 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 application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's application, dated 26.11.2015 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, if not already disposed of.

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

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner
Madurai Corporation
Anna Maligai, Madurai

2. The Assistant Commissioner
Zone-1, Madurai Corporation
T.B.Road, Madurai-10

+ 1 cc TO Mr.C.Godwin , Advocate in SR No. 61859

+ 1 cc TO Mr.T.S.Mohammed Mohideen, Advocate in SR No. 61697

krk

AE/SV MMS/SAR2/08.05.2018/2P/5C

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