



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P.(MD) No.8781 of 2018

K.Somasundaram

... Petitioner

vs.

1. The Collector,
Chairman, Local Planning Authority,
Office at Collectorate, Tiruchirapalli.

2. The Commissioner,
Thiruchirapalli City Corporation,
Cantonment, Thiruchirapalli.

3. The Commissioner,
Town and Country Planning,
807, Anna Salai,
Opp L.I.C Chennai.

4. The Member Secretary,
Thiruchirapalli Local Planning Authority,
Thiruchirapalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to provide the petitioner a personal hearing in order to put forth the petitioner objections on the basis of the representations dated 30.10.2017 and 07.04.2018 in accordance with law.

For Petitioner : Mr.C.Muthusaravanan

For Respondents

No.1 : Mr.V.Anand

Government Advocate

No.2 : Mr.N.S.Karthikeyan

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the first respondent. Mr.N.S.Karthikeyan learned counsel takes notice for the second respondent.

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 representations dated: 30.10.2017 and 07.04.2018 seeking to raise objections with regard to the claim made by one Sathish Kumar in



respect of the property 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 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.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the fourth respondent to consider the petitioner's representation dated 07.04.2018 on its own merits and take further action in accordance with law, within a period of six 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 as well as Sathish kumar and to any other persons who may be interested in the subject property.

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

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To:

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Thiruchirapalli.

+1cc to Mr.C.Muthusaravanan, Advocate, SR.No.62611.

W.P. (MD) No.8781 of 2018

AAV

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