



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P(MD)No.14208 of 2018

M.K.P.Abubucker Sithik

... Petitioner

Vs.

1. The District Collector,  
Thoothukudi District,  
Thoothukudi.

2. The Member Secretary,  
Thoothukudi Local Planning Authority,  
Thoothukudi District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to unlock and unseal the building belonging to the petitioner in Survey Nos.3001, 3002, 3005/PT, 3006/PT and 3007, Block No.15, Ward No.4, Thoothukudi Municipal Corporation by considering the petitioner's representation, dated 05.07.2017 in the light of the order made by this Court in W.P(MD)No.17364 of 2017, dated 14.09.2017, within the time stipulated by this Court.

For Petitioner : Mr.E.Marees Kumar  
for M/s.Ajmal Associates

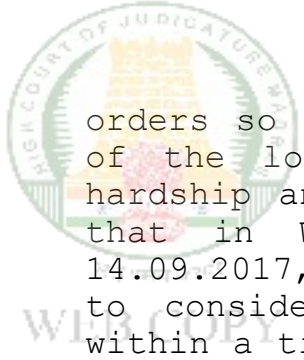
For Respondents : Mr.R.Murugan,  
Additional Government Pleader.

**ORDER**

**(Order of the Court was made by M.DURAI SWAMY, J.)**

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the second respondent to unlock and unseal the building belonging to the petitioner in Survey Nos.3001, 3002, 3005/PT, 3006/PT and 3007, Block No.15, Ward No.4, Thoothukudi Municipal Corporation by considering the petitioner's representation, dated 05.07.2017 in the light of the order made by this Court in W.P (MD)No.17364 of 2017, dated 14.09.2017, within a time frame.

2.The learned counsel appearing for the petitioner submitted that in spite of the petitioner's representation, dated 05.07.2017, the second respondent has not considered the same and pass any



orders so far. Further, the learned counsel submitted that in view of the long pendency of the matter, the petitioner is put to hardship and prejudice. The learned counsel also further submitted that in W.P(MD)No.17364 of 2017, this Court by order dated 14.09.2017, in similar circumstances, directed the second respondent to consider the representation given by the petitioner therein within a time frame and also observed that if there is no deviation from the approved plan, the second respondent shall unlock and unseal the said premises.

3.Admittedly, the petitioner's premises was locked and sealed on 04.06.2013 and now, it is under the lock and seal.

4.Mr.R.Murugan, learned Additional Government Pleader taking notice for the respondents submitted that the second respondent may be directed to consider the petitioner's representation and pass orders in accordance with law within a time frame.

5.Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, we direct the second respondent to consider the petitioner's representation, dated 05.07.2017 and pass orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

6.With this observation, the Writ Petition is disposed of. No costs.

Sd/-  
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,  
Thoothukudi District,  
Thoothukudi.
2. The Member Secretary,  
Thoothukudi Local Planning Authority,  
Thoothukudi District.

+1CC to M/s.Ajmal Associates, Advocate, SR.No.71426  
+1CC to the Special Government Pleader SR.No. 71295

W.P (MD) No.14208 of 2018  
04.07.2018

PS