



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.15241 of 2018

M.Abdul Wahab

... Petitioner

Vs.

The Member Secretary
Tirunelveli Local Planning Authority
Xavier Colony
South Bypass Road
Tirunelveli

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to pass orders on the petitioner's application pending in Na.Ka.No.932/2015 Thi.Vu.Thi.Ku dated 17.03.2017 seeking to grant lay out approval for S.No.586/1B and 583/2B (T.S.No.1/4A,2/4A) measuring 3 acre 81 cents in Kandiyaperi Village, Tirunelveli Taluk, Tirunelveli District within a time frame.

For Petitioner : Mr.R.J.Karthick
For Respondent : Mr.S.Nagarjan
Special Government Pleader

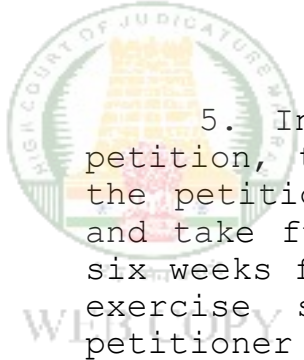
ORDER

Mr. S.Nagarjan, learned Special Government Pleader, takes notice for the 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 representation dated 25.06.2018 seeking to pass orders on his application pending in Na.Ka.No.932/2015 Thi.Vu.Thi.Ku dated 17.03.2017 seeking to grant lay out approval for S.No.586/1B and 583/2B (T.S.No.1/4A,2/4A) measuring 3 acre 81 cents in Kandiyaperi Village, Tirunelveli Taluk, Tirunelveli District, has not been considered by the respondent 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 respondent to consider the petitioner's representation dated 25.06.2018 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 to any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

The Member Secretary
Tirunelveli Local Planning Authority
Xavier Colony
South Bypass Road
Tirunelveli.

+1CC to Mr.R.J.Karthick, Advocate, SR.No.72941

W.P. (MD) No.15241 of 2018
13.07.2018

AAV

ES/SV/SAR 1/25.07.2018/2P/3C