



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.17477 of 2018

WEB COPY

G.Alagu

... Petitioner

vs.

1.The Chief Town Planning Officer,
Madurai Corporation,
Madurai.

2.The Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board,
Ellis Nagar, Madurai-16.

3.The Assistant Executive Engineer,
TNUDP Division,
Tamil Nadu Housing Board,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the second respondent herein to get the approval from the first respondent for the Layout prepared by him for the land situated in Survey No.411/1, Avaniyapuram Village, Madurai and earmark the four boundaries of Plot No.20 vide Letter No.LA/4/88, dated 12.05.2018 on the file of the second respondent within the stipulated time as fixed by this Court.

For Petitioner : Mr.C.Mayilvahana Rajendran

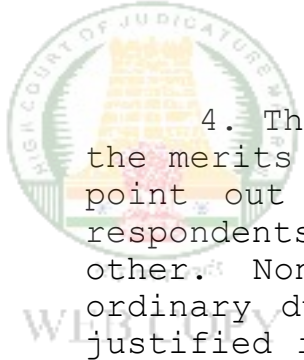
For Respondents : Mr.J.Gunaseelan Muthiah,
Additional Government Pleader.

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, 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 request to direct the second respondent herein to get the approval from the first respondent for the Layout prepared by second respondent for the land situated in Survey No.411/1, Avaniyapuram Village, Madurai and earmark the four boundaries of Plot No.20 vide Letter No.LA/4/88, dated 12.05.2018, 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 request made by the petitioner. It is needless to point out that whenever a request 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 request 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 request 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 and 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-IV)

To:

1. The Chief Town Planning Officer,
Madurai Corporation,
Madurai.

2. The Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board,
Ellis Nagar, Madurai-16.

3. The Assistant Executive Engineer,
TNUDP Division,
Tamil Nadu Housing Board,
Madurai.

+1CC TO MR.C.MAYIL VAHANA RAJENDRAN, ADVOCATE IN S.R.No.76944.

+1CC TO MR.J.GUNASEELAN MUTHIAH, ADVOCATE IN S.R.No.77409.

CP

<https://hcservices.courts.gov.in/hcservices/>
DS RSK SAR 4.14.09.2018: 2P/6C

W.P. (MD) No.17477 of 2018

03.08.2018