

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No14694 of 2019

M.Kumar

...Petitioner

vs.

1. The Commissioner,
Town and Country Planning Department,
No.807, Anna Salai,
Chennai - 600 002.
2. The Assistant Commissioner,
Town and Country Planning Department,
Villupuram Region,
Hospital Road,
Villupuram - 605 602.
3. Mr.A.N.Logesh

....Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Mandamus, to direct the 1st respondent to initiate disciplinary action against the 3rd respondent in accordance with law based on the petitioner representation dated 09.05.2019.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.A.N.Thambi Durai
Special Government Pleader

ORDER

The Writ Petition has been filed by the petitioner seeking direction to direct the first respondent to initiate disciplinary action against the third respondent in accordance with law based on the petitioner representation dated 09.05.2019.

2.The case of the petitioner is that the petitioner is a local resident. He made complaint to all the Authorities including the first and second respondents seeking to intervene into the matter and initiate appropriate action against the third respondent, who was the former Assistant Director in Town

and Country Planning for deviation and violation in the construction of Private School building. The School building was locked and sealed by the Authorities on 27.12.2017 due to violation in the construction. The School Management challenged the lock and sealing of the building and filed a Writ Petition before this Court in W.P.No.997 of 2018. The third respondent has not complied the conditions and allegedly disobeying the Government Order and he was favouring to the private school. Earlier, the third respondent was arrested and remanded to judicial custody under the Prevention of Corruption Act for receiving a bribe of Rs.30,000/- from the real estate owner. Since the third respondent favouring to the private school, the petitioner sent a detailed representation dated 09.05.2019, to the first respondent to initiate disciplinary action against the third respondent. However, till date the representation was not considered. Hence, the present Writ Petition has been filed before this Court.

3.The learned counsel appearing for the petitioner would submit that it would suffice if this Court issues direction to the first respondent to consider the representation submitted by the petitioner and to dispose of the same within a reasonable time as fixed by this Court.

4.Without going into the merits of the case, I am inclined to issue direction to direct the first respondent to consider the representation and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order after affording opportunity to the third respondent.

5.With the above direction, the Writ Petition stands disposed of. No costs.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

pam

To

1. The Commissioner,
Town and Country Planning Department,
No.807, Anna Salai,
Chennai - 600 002.

WEB COPY

2. The Assistant Commissioner,
Town and Country Planning Department,
Villupuram Region,
Hospital Road,
Villupuram - 605 602.

+1 CC to The Govt. Pleader sr 94582.
+1 CC to Mr.N. Ramesh, Advocate sr 95210.

W.P.No14694 of 2019

SJ(CO)
SP(17/12/2019)



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