

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR.JUSTICE N.SESHASAYEE

WP.NO.32416 OF 2019

S.Gouthaman

....Petitioner

Vs

1. The District Collector,
Collectorate,
Nagapattinam District.

2. Commissioner of Municipal Administration,
6th floor, Ezhilagam Annexe Building,
Chepauk, Chennai - 600 005.

3. The Commissioner
Municipal Office,
Nagapattinam District.

.... Respondents

PRAYER:-

Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus directing the respondents to consider the representation dated 21.10.2019 and to modify the area ward no.13 and to include the Mahalakhmi New Tsunami Quarters area in ward no.11 instead of Lakshmi Nagar area ward No.13 instead of ward No.11 of Nagapattinam Municipality.

For Petitioner : Mr. K.M.Subramanian

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

The petitioner claims to be a resident of Lakshmi Nagar, South Palpanaicherry, Nagapattinam District and according to him, the places in which he is residing is covered under Ward no.11 of Nagapattinam Municipality and on account of the recent delimitation exercise, Ward no.11 has been trifurcated into Ward nos.11, 12 and 13 and as a consequence, they have to travel nearly 12 kms. to meet the elected representatives and that

apart, it is also affecting the Fundamental Rights of the petitioner.

2. The learned counsel appearing for the petitioner would submit that the petitioner in this regard has submitted a representation dated 21.10.2019 to the official respondents and since no response is forthcoming, the petitioner is constrained to approach this Court by filing this Writ Petition.

3. This Court has considered the arguments advanced by the learned counsel appearing for the petitioner and also perused the materials placed before it.

4. During the course of arguments, this Court has put a specific question to the learned counsel for the petitioner as to the specific infraction/violation of the statutory rules which affects the rights of the petitioner and except a pleading on account of trifurcation of Ward, the petitioner and other residents are put to inconvenience as they have to travel nearly 2 kms. to avail benefits and to meet the elected representative, the learned counsel for the petitioner is unable to point out any infraction of statutory rules/guidelines.

5. This Court without going into the merits of the claim projected by the petitioner either in his representation or in this writ petition, directs the 3rd respondent consider and dispose of the representation dated 21.10.2019 and inform the decision taken, to the petitioner with a copy marked to the office of the 2nd respondent within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner and liberty is also given to the petitioner to invoke the provisions of Right to Information Act to know about the fate of his representation.

6. The Writ Petition stands disposed of with the above directions. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Collectorate,
Nagapattinam District.

2. Commissioner of Municipal Administration,
6th floor, Ezhilagam Annexe Building,
Chepauk, Chennai - 600 005.

3. The Commissioner
Municipal Office,
Nagapattinam District.

+1cc to Mr.M.Venugopal, Advocate, S.R.No.95811

+1cc to Mr.P.Srinivas, Advocate, S.R.No.96464

+1cc to Mr.K.M.Subramanian, Advocate, S.R.No.96457

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CA(CO)
CS/17/12/2019



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