



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2019

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD) .No.15134 of 2015

A.Mokkasamy

.. Petitioner

Vs.

1.The District Collector,
Theni District. Theni.

2.The Commissioner,
Theni Municipality,
Theni.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider petitioner representation dated 10.03.2015 to issue No Objection Certificate to petitioner's lands which is situated in Survey No.191 to an extent of 73 Cents at Allinagaram Revenue Village, Theni Taluk, Theni District.

For Petitioner	: Mr.C.M.Ganesan
For Respondent 1	: Mr.B.Bhagavathi Government Advocate
For Respondent 2	: Mr.K.Hemakarthikeyan

ORDER

This Writ Petition is filed for issuing Writ of Mandamus directing the respondents to consider petitioner's representation dated 10.03.2015 to issue No Objection Certificate to petitioner's lands which is situated in Survey No.191 to an extent of 73 Cents at Allinagaram Revenue Village, Theni Taluk, Theni District.

2.It is brought to the notice of this Court that the same counsel representing the petitioner herein has filed three Writ Petitions which are identical. The Writ Petition in W.P.(MD) No.12513 of 2015 has been dismissed for non-prosecution by order dated 03.12.2019 wherein the prayer is for issuing writ of mandamus to direct the respondents to consider the petitioner's representation dated 10.03.2015 to issue No Objection Certificate to the petitioner's land which is situated in Survey No.191 to an extent of 73 cents at Allinagaram Revenue Village, Theni District. The prayer in that Writ Petition and this Writ Petition is one and



3.The learned Counsel appearing for the second respondent produced before this Court the affidavit filed by this petitioner in the Writ Petition in W.P.(MD)No.14134 of 2015 which is also for the same relief and almost identical affidavit has been filed by the petitioner in all these three cases. It is unfortunate to notice that all the three petitions have been simultaneously filed for same relief. Hence, this Writ Petition is devoid of merits as the petitioner has suppressed the filing of the earlier Writ Petition. The petitioner has filed three writ petitions one after another with ulterior motive. In such circumstances, this writ petition is dismissed as there is no merit.

4.Having regard to the conduct of the party and the counsel, the petitioner is directed to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the Legal Services Authority attached to the Madurai Bench of Madras High Court.

5.Registry is directed to issue notice to the learned Counsel appearing for the petitioner to his known address for him to appear before this Court on 19.12.2019 and post W.P.(MD)No.14134 of 2015 on that day.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

SRM

To

1.The District Collector, Theni District. Theni.

2.The Commissioner, Theni Municipality,
Theni.

Copy to

1. The Section Officer,Writ Section,
Madurai Bench of Madras High Court, Madurai.

2. The Section Incharge,
Legal Services Authority,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M/S.K.HEMAKARTHIKEYAN, Advocate (SR-105154[F] dated
16/12/2019)

ORDER MADE IN
W.P. (MD) No.15134 of 2015
12.12.2019

ns (CO)