

In the High Court of Judicature at Madras
Dated : 06.3.2020
Coram

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.5655 of 2020 & WMP.No.6602 of 2020

1.K.Kathirvel Kalingarayar

2.K.Viswakumar Kaligarayar

...Petitioners

Vs

1.Government of Tamil Nadu, rep.
By its Secretary, Municipal
Administration & Water Supply
Department, Fort.St.George,
Chennai-9.

2.The District Collector, Coimbatore
District, Coimbatore.

3.The Commissioner, Corporation of
Coimbatore, Coimbatore-1.

4.The Tahsildar, Taluk Office (South),
Coimbatore.

5.The District Registrar, Collector
Office Compound, Barath Bank
Street, Coimbatore-18.

...Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to consider the petitioners' representation dated 13.7.2017 within a time frame as fixed by this Court.

For Petitioners :

Mr.A.Saravanan

For Respondents 1, 2 & 4 :

Mr.G.Rajesh, GA

For Respondent-3 :

Mr.K.Natarajan

For Respondent-5 :

Mr.M.Thamizharasan

ORDER

I have heard Mr.A.Saravanan, learned counsel for the petitioners, Mr.G.Rajesh, learned Government Advocate accepting notice for respondents 1, 2 and 4, Mr.K.Natarajan, learned Standing Counsel for the third respondent and Mr.M.Thamizharasan, learned counsel for the fifth respondent.

2. The petitioners seek a direction to the second respondent to consider their representation dated 13.7.2017.

3. On a reading of the said representation dated 13.7.2017, it is not clear as to on what basis, the petitioners stake a claim. Even in the affidavit file in support of the writ petition, the averments are vague and only one thing is clear that the petitioners are trying to reopen a settled issue. However, this Court does not propose to foreclose the rights of the petitioners at this juncture, but would leave it open to the petitioners to file a comprehensive representation with adequate records in support of their claim and if the same is done, it is well open to the appropriate authority to consider the same. Therefore, considering the representation of the petitioners dated 13.7.2017, no Mandamus as sought for can be granted.

4. Accordingly, while declining to grant the relief sought for, the writ petition is disposed of by giving liberty to the petitioners in the aforesaid terms. No costs. Consequently, the connected WMP is closed.

Sd/-

Assistant Registrar (MD)

//True Copy//

Sub Assistant Registrar

RS

To

1.The Secretary to Government of Tamil Nadu, Municipal Administration &

Water Supply Department, Fort.St.George, Chennai-9.

2.The District Collector, Coimbatore District, Coimbatore.

3.The Commissioner, Corporation of Coimbatore, Coimbatore-.

4.The Tahsildar, Taluk Office (South), Coimbatore.

5.The District Registrar, Collector Office Compound,

Barath Bank Street,Coimbatore-18.

+1cc to the Government Pleader, S.R.No.20633.

+1cc to Mr.A.Saravanan, Advocate, S.R.No.21070.

+1cc to Mr.K.Natarajan, Advocate, S.R.No.20001.

WP.No.5655 of 2020&

WMP.No.6602 of 2020

PA(CO)

VSI-2(29.05.2020)