



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.01.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.1335 of 2020

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D.Mala

... Petitioner

Vs.

1) The District Collector,
District Collectorate,
Trichy.

2) The Commissioner,
Municipal Corporation,
Trichy.

3) The Joint Commissioner,
HR & CE Department,
Trichy 5

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents herein to consider the petitioner's representation dated 01.10.2018 and consequently grant lease for the land having extent of 1417.73 sq.ft. In T.S.No.7/1 in Block No.35 in ward AB, in Ponmalai Division, Trichy in the name of Arulmigu Valividu Velmurugan Temple at Trichy.

For Petitioner : Mr.K.Mahendran

For R-1 : Mrs.J.Padmavathi Devi,
Special Government Pleader

For R-2 : Mr.N.S.Karthikeyan, Standing Counsel

For R-3 : Mr.VR.Shanmuganathan,
Special Government Pleader.

O R D E R

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice for the first respondent, Mr.N.S.Karthikeyan, learned standing counsel takes notice for the second respondent and Mr.VR.Shanmuganathan, learned Special Government Pleader takes notice for the third respondent.

2. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, to direct the respondents herein



to consider the petitioner's representation dated 01.10.2018 and consequently grant lease for the land having extent of 1417.73 sq.ft. in T.S.No.7/1 in Block No.35 in ward AB, in Ponmalai Division, Trichy in the name of Arulmigu Valividu Velmurugan Temple at Trichy.

WEB COPY

4. The case of the petitioner is that he is the hereditary trustee of Arulmigu Valividu Velmurugan Temple. The petitioner has filed W.P.(MD) No.22812 of 2018 for Mandamus directing the 1st respondent herein to grant long term lease of 1417.73 sq.ft of land in T.S.No.7/1 in Block No.35 in ward AB, in Ponmalai Division, Trichy in the name of Arulmigu Valividu Velmurugan Temple at Trichy and the same was dismissed on the ground that the petitioner has not prayed for considering his representation seeking direction to grant long term lease. Further, the petitioner made a representation dated 01.10.2018 to consider his representation and till now, the same has not been considered. Aggrieved over the same, the petitioner has approached this Court by way of filing the present writ petition seeking to consider the representation of the petitioner dated 01.10.2018.

5. In view of the above, without expressing any opinion on the merits of the claim made by the petitioner, the first respondent is directed to consider the representation of the petitioner dated 01.10.2018 and pass appropriate orders on the same, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

- 1) The District Collector,
District Collectorate,
Trichy.
- 2) The Commissioner,
Municipal Corporation,
Trichy.



3) The Joint Commissioner,
HR & CE Department,
Trichy 5

+1 CC to Mr.K.MAHENDRAN, Advocate (SR-2666[F] dated 23/01/2020)
+1 CC to SPL GP SR-2819,3144
+1 CC to Mr.N.S.KARTHIKEYAN, Advocate (SR-2984[F] dated
24/01/2020)

Order made in
W.P(MD)No.1335 of 2020
Dated:23.01.2020

MK (06.02.2020) 3P 7C