



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.13650 of 2020

WEB COPY

T.Ramkumar

... Petitioner

Vs

1.The District Collector,
Collectorate Office,
Tyagi Subramania Siva Maligai
Velu Nachiyar Valagam,
Chettinaickenpatti,
Dindigul 624 004.

2.The Assistant Director
Geo Technical Center
Kodaikanal Scheme/Nilgiris
Collectorate Campus,
Dindigul.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to consider and dispose of the petitioner's representation dated 03.09.2020 within a time frame as fixed by this Court.

For Petitioner : Mr.R.M.Anbunidhi
For Respondents : Mr.C.Ramesh
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to consider and dispose of the petitioner's representation, dated 03.09.2020 within a time frame to be stipulated by this Court.

2.Heard Mr.R.M.Anbunidhi, learned counsel appearing for the petitioner and Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents.

3.By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.



4.It is the case of the petitioner that, he applied for layout approval in respect of his lands located at Vilpatti Village, Adukkam Panchayat within Kodaikanal Municipal Limits, Dindigul District. It is to be noted that, except the second respondent, all the other authorities have granted permission for putting up the layout. The second respondent has rejected the application of the petitioner on the ground that, the area proposed for conversion is a dry land with soil thickness up to 8 meters and slope angle varying up to 40 degree and it is not feasible for layout. Aggrieved by the rejection order of the second respondent, the petitioner made a representation to the Commissioner of Geology and Mining, Guindy, Chennai for granting approval to his land. However, the Commissioner of Geology and Mining has addressed a letter to the petitioner on 24.02.2015 requesting him to place the rejection order of the second respondent to the first respondent for further orders. Accordingly, the petitioner has given a representation on 03.09.2020 to the first respondent by registered post with acknowledgement due. The said representation has also been received by the first respondent on 07.09.2020 as seen from the acknowledgement receipt filed by the petitioner before this Court. Till date, the said representation has not been considered by the first respondent. Hence, the petitioner has approached this Court with the aforesaid prayer.

5.Admittedly, the representation given by the petitioner, as aggrieved by the rejection order of the second respondent, has not been considered by the first respondent till date.

6.Considering the limited scope of the prayer sought for by the petitioner herein, this Court directs the first respondent to consider the representation, dated 06.09.2020 sent by the petitioner aggrieved by the rejection order of the second respondent, dated 01.09.2014 on merits and in accordance with law within a period of eight(8) weeks from the date of receipt of a copy of this order.

7.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.The District Collector,
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Chettinaickenpatti,
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2.The Assistant Director
Geo Technical Center
Kodaikanal Scheme/Nilgiris
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+1 CC to M/s.N. SATHEESH KUMAR, Advocate (SR-19139[F] dated
06/10/2020)

+1 CC to M/s.GP (SR-19331[F] dated 07/10/2020)

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05.10.2020

NS (CO)

TR(16.10.2020) 3P 5C