



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2020

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.14224 of 2020

K.Bhuvaneswari

.. Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Outpost Thallakulam,
Madurai - 625 002.

2.The Assistant Commissioner,
(Water Supply and Drainage),
Madurai Corporation,
Aringar Anna Maligai,
Outpost Thallakulam,
Madurai - 625 002.

3.The Assistant Commissioner,
(Revenue), Madurai Corporation,
Aringar Anna Maligai,
Outpost Thallakulam,
Madurai - 625 002.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to consider the representation dated 06.10.2020 and to direct the 2nd respondent to repair the drainage system for the petitioner's property in Door No.71, Mothilal Main Road, Karimedu, Madurai (Tax Assessment No.115/013/00394; Old Assessment No.115/40096) immediately.

For Petitioner	:	Mr.M.Prabhakaran
For Respondents	:	Mr.R.Murali
		Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 1st respondent to consider the representation of the petitioner dated 06.10.2020.



2.Heard Mr.M.Prabhakaran, learned counsel appearing for the petitioner. Mr.R.Murali, learned Standing Counsel accepts notice on behalf of the respondents.

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

4.The petitioner is an agreement holder in respect of the property at Door No.71, Mothilal Main Road, Karimedu, Madurai. It is the case of the petitioner that he came into the possession of the property only in January 2020 by virtue of an agreement of sale with the original owner. According to him, the original owner has not paid the property tax for the property on time and there are arrears payable to the first respondent Corporation. It is also his case that there is a block in the drainage system in his property. Therefore, he gave a representation on 06.10.2020 to the first respondent to repair the drainage system in his property. It is stated in the affidavit filed in support of the writ petition that he was orally informed by the respondents that due to the non payment of property tax, the respondents are not in a position to redress the grievance of the petitioner. Till date, the representation of the petitioner dated 06.10.2020, has not been considered by the respondents on merits and in accordance with law. No prejudice will be caused to the respondents if the representation of the petitioner dated 06.10.2020, seeking for repair of the drainage system in his property is considered by the respondents on merits and in accordance with law.

5.For the forgoing reasons, this Court directs the respondents to consider the petitioner's representation dated 06.10.2020, requesting the respondents to repair the drainage system in his property bearing Door No.71, Mothilal Main Road, Karimedu, Madurai, on merits and in accordance with law and pass final orders within a period of one week from the date of receipt of a copy of this order.

6.With the aforesaid direction, this writ petition is disposed of. No costs.

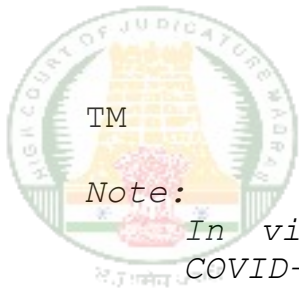
Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

+1 CC to M/s.R. MURALI, Advocate (SR-20005[F]
dated 14/10/2020)

+1 CC to M/s.M. PRABHAKARAN, Advocate (SR-
20011[F] dated 14/10/2020)

W.P (MD) .No.14224 of 2020

13.10.2020

NS (CO)

NR (19/10/2020) 3P : 3C