



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10953 of 2021

Mumtaj Begam

...Petitioner

Vs.

1.The Secretary to Government,
Rural Development and
Panchayat Raj Department,
Secretariat,
Fort St. George,
Chennai.

2.The Commissioner,
Kadaladi Panchayat Union,
Kadaladi,
Ramanathapuram District.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to dispose of the representation of the petitioner dated 26.03.2021.

For Petitioner : Mr.R.Vijayakumar
For R1 : Mr.M.Lingadurai,
Government Advocate For R1

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second and respondents to consider the representation made by the petitioner on 26.03.2021 and to pass orders within the time frame fixed by this Court.

2.The case of the petitioner is that she executed a gift deed in favour of the second respondent with a specific condition that it should be used for the purpose of construction of a bus stand. However, the bus stand was constructed elsewhere and the property that was gifted was kept idle. Therefore, the petitioner gave a representation to reconvey the property that was gifted to the second respondent.

3.The petitioner had earlier approached this Court and filed a Writ Petition in W.P(MD)No.288 of 2021 seeking for a direction to dispose of her representation dated 20.10.2020. This Court disposed of the Writ Petition by an order dated 11.01.2021 directing the Secretary to Government, Municipal Administration and Water Supply Department, to consider the petitioner's representation and pass orders within twelve weeks.



4.Pursuant to the above order passed by this Court, the Secretary to Government, Municipal Administration and Water Supply Department, through a communication dated 03.03.2021, had informed that the representation made by the petitioner will be considered by the Rural Development and Panchayat Raj Department. Accordingly, the petitioner made a representation to the first respondent on 26.03.2021. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

5.Heard Mr.R.Vijayakumar, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the first respondent.

6.The learned Government Advocate, on instructions, submitted that the representation made by the petitioner has been placed before the first respondent and orders will be passed within the time frame fixed by this Court.

7.Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate, there shall be a direction to the first respondent to consider the representation made by the petitioner on 26.03.2021 and deal with the same on its own merits and in accordance with law and pass final orders within a period of six (6) weeks from the date of receipt of a copy of this order.

8. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order.

9. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

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.The Secretary to Government,
Rural Development and
Panchayat Raj Department,
Secretariat,
Fort St. George,
Chennai.

2.The Commissioner,
Kadaladi Panchayat Union,
Kadaladi,
Ramanathapuram District.

+1 CC to M/s.R.VIJAYAKUMAR, Advocate (SR-23847[F]dated 26/07/2021)
W.P. (MD) .No.10953 of 2021

23.07.2021

RD(2.08.2021) 3P 4C