



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.18212 of 2021

WEB COPY

S.Balasubramanian

... Petitioner

Vs.

1. The Commissioner,
Tiruchirappalli City Corporation,
Tiruchirappalli-620 001.

2. The Assistant Commissioner (I/C),
K.Abhishekapuram Zone,
Tiruchirappalli City Corporation,
Tiruchirappalli-620 001.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to issue a certified copy of the regularisation order dated 10.06.2020 in S.P.F.W.No.2348/2018 passed in petitioner's application No.F1/6937/71/2020(K.ABI), at the earliest.

For Petitioner : Mr.M.Dinesh Hari Sundarsan

For Respondents : Mr.R.Baskaran for R1 and R2

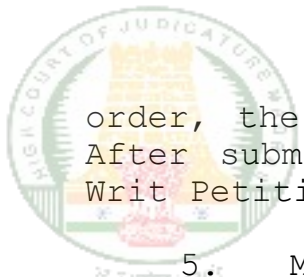
O R D E R

The petitioner seeks the issuance of a certified copy of the regularisation order dated 10.06.2020 pursuant to the application bearing No.F1/6937/71/2020(K.ABI).

2. The petitioner states that he and two of his brothers purchased the land admeasuring 1.3 acres in Survey No.74, situated at New Selva Nagar Extension, Karumandapam, Trichy in the year 1981. Since the petitioner's portion of such land was 34 cents, a sub-division was effected. Pursuant thereto, it appears that plots were developed and the petitioner intends to sell Plot Nos.2A and 3.

3. For such purpose, the petitioner applied to the second respondent for regularisation of the unapproved plots. Upon payment of the requisite charges in such regard, it is stated that the second respondent issued a regularisation order dated 10.06.2020.

4. Since the petitioner intends to sell the property, the petitioner made enquiries at the office of the Sub-Registrar, Joint-I, Cantonment, Trichy and states that he was informed that the original regularisation order is required. On account of the fact that the petitioner misplaced or lost the original regularisation



order, the petitioner applied for a certified copy of such order. After submitting the representation dated 02.10.2021, the present Writ Petition is filed.

5. Mr.R.Baskaran, learned standing counsel for the Tiruchirappalli City Corporation, accepts notice on behalf of both the respondents. He submits that the representation of the petitioner is dated 02.10.2021 and that the same was received only yesterday.

6. A mandamus is issued when a statutory authority fails to perform a statutory duty in spite of being called upon to do so. In the case at hand, the representation was issued only on 02.10.2021. Therefore, the petitioner has not waited for a reasonable time for the statutory authority to perform its duty.

7. Nonetheless, it is submitted on behalf of the Tiruchirappalli City Corporation that the representation would be acted upon within a week from the date of receipt of a copy of this order.

8. Accordingly, the second respondent is directed to consider the petitioner's representation dated 02.10.2021 and, if the request made therein is in order, act on such request within a period of one week from the date of receipt of a copy of this order.

9. W.P(MD).No.18212 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

To

1. The Commissioner,
Tiruchirappalli City Corporation,
Tiruchirappalli-620 001.
2. The Assistant Commissioner (I/C),
K.Abhishekapuram Zone,
Tiruchirappalli City Corporation,
Tiruchirappalli-620 001.

+1 CC to M/s.R.BASKARAN, Advocate (SR-31319[F] dated 06/10/2021)

<https://hcservices.ecourts.gov.in/hcservices/>



W.P.(MD)No.18212 of 2021

+1 CC to M/s.M.DINNESH HARI SUNDARAN, Advocate (SR-31389[F] dated 06/10/2021)

W.P. (MD) No.18212 of 2021
05.10.2021

WEB COPY

NSM(CO)
KB(27.10.2021) 3P 5C