



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

And

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.A.No.1270 of 2022

M/s.Dhanvanth Blue Metals
Rep. by its Partner,
Sivanandha Vadivel

... Appellant

Vs.

- 1.The District Collector,
Tiruppur District,
Tiruppur.
- 2.The Revenue Divisional Officer,
Dharapuram,
Tiruppur District.
- 3.The Tahsildar,
Kangeyam,
Tiruppur District.
- 4.The Commissioner,
Vellakovil Municipality,
Vellakovil,
Tiruppur District.
- 5.The Village Administration Officer,
Vellakovil,
Tiruppur District.

... Respondents

Prayer:

Writ appeal filed under Clause 15 of the Letters Patent praying to set aside the order in W.P.No.1010 of 2022 dated 27.01.2022 and allow the writ petition by allowing the present writ appeal.

Prayer in W.P.No.1010 of 2022: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents consider the Petitioner's representation dated 05.09.2021.



For Appellant : Mr.K.Rajendra Prasad

For Respondents: Mr.E.Veda Bagath Singh
Special Government Pleader

WEB COPY

J U D G M E N T

(Judgment of the Court was delivered by M.S.RAMESH, J.)

By consent of both the counsels, the writ appeal is taken up for final disposal.

2.The prayer sought for in the writ petition was a direction to the respondents to consider the petitioner's representation dated 05.09.2021. The learned Single Judge, was of the view that the averments in the representation was vague and therefore, had held that his rights had not been violated and accordingly dismissed the writ petition. Strictly speaking such a finding cannot be found fault with.

3.The learned counsel for the appellant submits that the appellant has been running a business of blue metals for the past five years. It is the grievance that without proper inspection, approval for constructions have been given within 500 meters of his work spot and in this regard, he has made the representation.

4.We are of the view that if the petitioner is granted liberty to make a fresh representation with more specifications and details about his grievances, with a consequential direction to the respondents to consider the same within a stipulated time, the interest of justice can be secured.

5.In the light of the above findings, the impugned order dated 27.01.2022 is set aside. Consequently, the petitioner is granted liberty to make fresh representation to the first respondent herein and on receipt of the same, the first respondent can consider the same on its own merits and in accordance with law and pass appropriate orders, within a period of three months from the date of receipt of a copy of this judgment. Writ Appeal stands allowed. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

vm/pri



To

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Revenue Divisional Officer,
Dharapuram,
Tiruppur District.

3.The Tahsildar,
Kangeyam,
Tiruppur District.

4.The Commissioner,
Vellakovil Municipality,
Vellakovil,
Tiruppur District.

5.The Village Administration Officer,
Vellakovil,
Tiruppur District.

+1cc to M/s.K.Rajendra Prasad, Advocate, S.R.No.32052

+1cc to the Special Government Pleader, S.R.No.32245

W.A.No.1270 of 2022

RP(CO)
SB(16/06/2022)