



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.7080 of 2022

V.Ashok Arunachalam

... Petitioner

Vs.

The Commissioner,
Thoothukudi Corporation,
Thoothukudi City.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to consider the petitioner's written application dated 02.03.2022 for making layout and new private street under Section 251 of Thoothukudi City Municipal Corporation Act, 2008 at the land in Survey Nos.94/1A, 95/2C2C and 96/1B2D at Mullakkadu Part-I Village, Thoothukudi Taluk, Thoothukudi District within the time stipulated by this Court.

For Petitioner : Mr.P.Pandeeswaran

For Respondent : Mr.S.Saji Bino,
Standing Counsel.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondent to consider the petitioner's application dated 02.03.2022 seeking for layout approval under Section 251 of the Thoothukudi City Municipal Corporation Act, 2008 in respect of the land in Survey Nos.94/1A, 95/2C2C and 96/1B2D at Mullakkadu Part-I Village, Thoothukudi Taluk, Thoothukudi District within a time frame to be fixed by this Court.

2. The petitioner claims that he is the owner of the aforementioned property. He has applied for layout approval with the respondent under Section 251 of the Thoothukudi City Municipal Corporation Act, 2008 on 02.03.2022. The petitioner has filed a copy of the written application dated 02.03.2022 along with the Writ Petition.



3. No prejudice would be caused to the respondent, if the petitioner's application dated 02.03.2022 seeking for layout approval is considered on merits and in accordance with law within a time frame to be fixed by this Court.

4. For the foregoing reasons, this Court directs the respondent to consider the petitioner's application dated 02.03.2022 seeking for layout approval under Section 251 of the Thoothukudi City Municipal Corporation Act, 2008 in respect of the land in Survey Nos.94/1A, 95/2C2C and 96/1B2D at Mullakkadu Part-I Village, Thoothukudi Taluk, Thoothukudi District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of three (3) months from the date of receipt of a copy of this order.

5. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To
The Commissioner,
Thoothukudi Corporation,
Thoothukudi City.

+1 CC to M/s.P. PANDEESWARAN, Advocate (SR-19216[F] dated 19/04/2022)

+1 CC to M/s.S. SAJI BINO, Advocate (SR-19570[F] dated 20/04/2022)

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