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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.16573 of 2023

R.Kamaraj

Petitioner

vs.

The Block Development Officer (BDO)
O/o.The Block Development Office,
Coonoor Taluk (Village Panchayat)
Nilgiris District

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to consider the petitioner's representation /application dated 25.04.2023 and take action to demolish the dilapidated building (coolie lines) bearing Door Nos.5/37, 5/39 & 5/41 situated at Door No.5/38, Old Survey No.141, Rajamalai Tea Factory, Melur Village Panchayat, Coonoor Taluk, Nilgiris District.

For Petitioner : Mr.R.Gunalan

For Respondents : Mr.K.Karthikeyan
Government Advocate



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ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondent to consider the application submitted by the petitioner wherein the petitioner has sought for the permission of the respondent to demolish a dilapidated structure that is existing in the subject property.

2. Heard Mr.R.Gunalan, learned counsel appearing on behalf of the petitioner and Mr.K.Karthikeyan, learned Government Advocate appearing on behalf of the respondents.

3. The petitioner had purchased the subject property through a registered Sale deed dated 30.06.2021. According to the petitioner, there is a dilapidated structure in the subject property which will collapse at any time. Hence, the petitioner submitted a representation / application dated 25.04.2023 to the respondent to grant permission to demolish the existing structure. Since the same was not considered, the present writ petition has been filed before



this Court.

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4. The learned Government Advocate appearing on behalf of respondent submitted that if the petitioner produces the necessary stability certificate, the same will be considered and a decision will be taken within the time frame stipulated by this Court.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the respondent to consider the application / representation made by the petitioner on 25.04.2023 and deal with the same on its own merits and in accordance with law and a decision shall be taken within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondent along with a copy of earlier application / representation dated 25.04.2023 and all the necessary documents and also a copy of this order.



6. This writ petition is disposed of with the above direction.

No Costs.

05.06.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

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To

The Block Development Officer (BDO)

O/o.The Block Development Office,

Coonoor Taluk (Village Panchayat)

Nilgiris District



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N. ANAND VENKATESH, J.

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