



W.P.(MD) No.2906 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.2906 of 2023

Kennedy

... Petitioner

-Vs-

1.The Executive Officer,

Kallakudi Selection Grade Panchayat, Kallakudi,

Trichy District-621 651.

2.The District Collector,

Trichy District.

3.M.K.Samsudeen

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation dated 10.01.2023.

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For Petitioner : Mr.G.Prabhu Rajadurai
For R1 & R2 : Mr.M.Sarangan,
Additional Government Pleader

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed for a direction to the respondents 1 and 2 to consider the representation of the petitioner dated 10.01.2023 within a time frame.

2.Mr.M.Sarangan, learned Additional Government Pleader takes notice on behalf of the respondents 1 and 2. Considering the nature of order proposed to be passed in this Writ Petition, notice to the 3rd respondent is dispensed with.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4.According to the petitioner, the 3rd respondent, by citing the petitioner's property as his property, has obtained approval for construction of

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shopping complex. Subsequently, the same was cancelled based on the objection given by the petitioner. However, the 3rd respondent is still continuing the construction of the building without getting any approval. Therefore, the petitioner made a representation dated 10.01.2023 to the official respondents to take necessary action against the 3rd respondent. Since the same has not been considered till date, the petitioner has approached this Court with the aforesaid prayer.

5.The learned Additional Government Pleader for the respondents 1 and 2, on instructions, submitted that the representation of the petitioner dated 10.01.2023 would be considered and appropriate orders would be passed on merits and in accordance with law.

6.Considering the limited scope of the prayer sought for in the Writ Petition, without going into the merits of the case, we are inclined to direct the 1st respondent to consider the representation of the petitioner dated 10.01.2023 and pass appropriate orders on its own merits and in accordance with law, after



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providing sufficient opportunity of hearing to all the parties concerned. Such an exercise shall be completed as early as possible, preferably, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs.

[D.K.K., J.] & [L.V.G., J.]

14.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MYR

To

1. The Executive Officer,
Kallakudi Selection Grade Panchayat, Kallakudi,
Trichy District-621 651.

2. The District Collector,
Trichy District.

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