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W.P.(MD) No.721 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD) No.721 of 2022

K.Kathiresan

... Petitioner

-VS-

1.The District Collector
Madurai District
Collectorate Buildings
Madurai District

2.The Commissioner
Melur Municipality
Melur

3.The Building Inspector
Melur Municipality, Melur

4.P.L.Senthil

5.P.L.Eswari

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 2 and 3 herein to consider the petitioner's representation dated 29.10.2021.



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For Petitioner : Mr.P.Palani

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 & R3
Mr.K.Mahendran
Standing Counsel for R2

ORDER

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

Prayer in this writ petition is to direct the respondents 2 and 3 to consider the petitioner's representation dated 29.10.2021.

2. According to the petitioner, the fourth respondent is constructing a house in the property belongs to him, without any approval from the competent authority. Therefore, seeking to stop the said unauthorized construction, the petitioner sent a representation, dated 29.10.2021, to the respondents 2 and 3. However, the said representation is still pending consideration before the respondents 2 and 3. Therefore, the petitioner has filed the present writ petition.

3. Considering the facts and circumstances and in view of the fact that the representation of the petitioner is pending consideration before the



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respondents 2 and 3, without going into the merits of the matter, we direct the Commissioner, Melur Municipality / second respondent to consider the representation of the petitioner dated 29.10.2021 and pass orders on merits and in accordance with law, after providing due opportunity to the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above direction, this writ petition is disposed of. No costs.

[D.K.K., J.]

[R.V., J.]

07.03.2024

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

krk

To:

1.The District Collector,
Madurai District,
Collectorate Buildings,
Madurai District.

2.The Building Inspector,
Melur Municipality,
Melur.

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