

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.13496 of 2015

and

M.P.No.1 of 2015

1.R.Bharanidharan

2.K.Rajesh

.. Petitioners

vs

1.The District Collector
Chennai District
Chennai

2.The Tahsildar
Taluk Office
Velachery Taluk @ Tharamani
Chennai 600 113

3.The Corporation of Chennai
Rep. By its Commissioner
Ripon Building, Chennai 3.

4.The Assistant Commissioner of Police
J4, Kotturpuram Range
Chennai 600 085

5.The Inspector of Police (Law & Order)
J4 Kotturpuram Police Station
Chennai 600 085

6.E.Panneerselvam

7.E.Yamanathan

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to dispose of the representation given by the petitioner dated 8.4.2014, and consequently, forbearing the respondents 4 and 5 from interfering with the peaceful possession and enjoyment of the petition property situated at Kalikundram Village, previously Saidapet Taluk now Velachery Taluk, Kanchipuram District, comprised in Old Survey No.78, present T.S.No.31/2 part, Patta No.663/2001, as per Patta T.S.No.31/3, Block No.1, bearing Plot No.4, Thiruveethi Amman Koil Street, Kalikundram Main Road, land measuring an extent of 1275 square feet.

For Petitioners: Mr.T.Ramachandran

For Respondent: Mr.N.Roofus Abraham

Government Advocate

for RR1, 2, 4 and 5

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The first petitioner aggrieved by the construction put up by second petitioner viz. K.Rajesh, in Block No.I, Town Survey No.31 and Sub-division No.32 and 36, Velachery Taluk, submitted a representation and also approached this Court by filing W.P.No.1291/2015, and this Court vide order dated 11.2.2015, has directed the District Collector, Chennai District, to consider the first petitioner's appeal dated 19.8.2014, and pass suitable orders in accordance with law.

3.In connection with the said proceedings, the second respondent has sent a communication to the fifth respondent stating that the proceedings under Section 145 of Cr.P.C. have been concluded and the same is pending for orders of the first respondent and directed the fifth respondent to look into the law and order problem.

4.The grievance expressed by the petitioners, is that in spite of the orders passed in W.P.No.1291/2015, the first respondent did not conclude Section 145 Cr.P.C. proceedings and hence, they came forward to file this writ petition.

5.The Court heard the learned Counsel appearing for the petitioners, Mr.N.Roofus Abraham, learned Government Advocate, who accepted notice for the respondents 1, 2, 4 and 5, and Mr.P.V.Selvakumar, learned Standing Counsel, who accepted notice for the third respondent.

6.Though the petitioners prayed for a larger relief, this Court, without going into the merits of the claim projected by the petitioners, directs the first respondent to consider the proceedings pending on his file under Section 145 Cr.P.C., strictly in accordance with law, after putting on notice, the respondents 6 and 7, and pass orders as expeditiously as possible and not later than twelve weeks from the date of receipt of a copy of this order and communicate the decision to the petitioners as well as to the private respondents. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsv

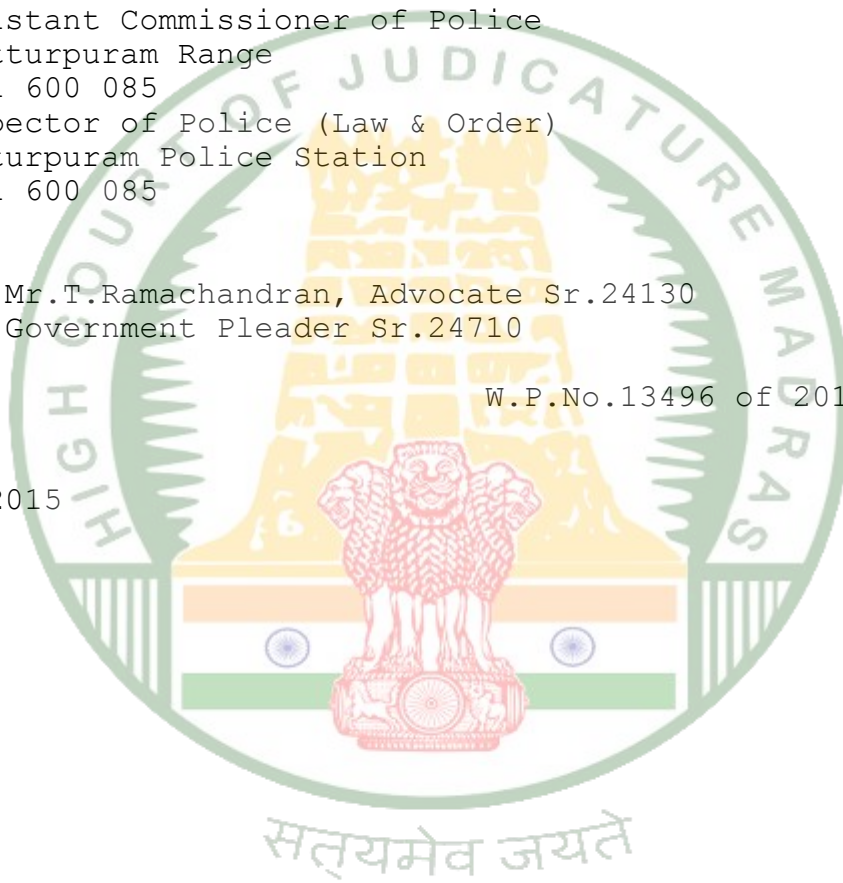
To:

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- 5.The Inspector of Police (Law & Order)
J4 Kotturpuram Police Station
Chennai 600 085

+ 1 cc to Mr.T.Ramachandran, Advocate Sr.24130
+ 1 cc to Government Pleader Sr.24710

W.P.No.13496 of 2015

JP(CO)
Eu 19.05.2015



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