

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.05.2015

CORAM

THE HONOURABLE MR. JUSTICE R. SUBBIAH

W.P. No. 14566 of 2015

V. Durairaj

..Petitioner

Vs.

1. The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.

2. The Tahsildar,
Kallakurichi (Taluk),
Villupuram District.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 2nd respondent herein to implement the order of the 1st respondent in Na.Ka.A1/CMP/2013 dated 23.12.2014 within the time stipulated by this Court.

For Petitioner :: Mr.D. Babu Varadharajan

For Respondents :: Mr.P. Sanjay Gandhi,
Addl. Govt. Pleader

O R D E R

This writ petition is filed for issue of a Writ of Mandamus directing the 2nd respondent herein to implement the order of the 1st respondent in Na.Ka.A1/CMP/2013 dated 23.12.2014 within a stipulated time.

2. The case of the petitioner is that he is having right and title over the property in respect of Survey No. 237/10 admeasuring 1.32 cents in Kareemshathakka Hamlet in Prithivimangalam Village including well and the electricity service connection also stands in the name of the petitioner. The petitioner filed a criminal revision petition under Section 145 Cr.P.C. on 27.06.2013 before the 1st respondent seeking an order of injunction restraining the 1st accused therein or his men or agents from entering into the petitioner's property. The 1st respondent had issued notice to competent Inspector of Police. After perusal of entire records, the 2nd respondent, by order dated 23.12.2014 directed the Regional Deputy Tahsildar, Kallakurichi, to remove the shed in front of the house situated in Survey No. 237/10 admeasuring 1.88 cents and to send a report by 31.12.2014. However, the grievance of the petitioner is that so far, the said order has not been complied with. Hence, the present writ petition.

3. Heard the learned counsel on either side.

4. Considering the submissions made on either side, this Court directs the 2nd respondent to initiate action to implement the order dated 23.12.2014 to remove the shed situated in Survey No. 237/10 admeasuring 1.88 cents in front of the house of the petitioner within a period of two weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

14.05.2015

nv

(Note to Office: Issue order copy

by next week)

To

1. The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.
2. The Tahsildar,
Kallakurichi (Taluk),
Villupuram District.

R. SUBBIAH, J.

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