

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.05.2015

CORAM

THE HONOURABLE MR . JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.15105 of 2015

and

M.P.No.1 of 2015

Govindan

... Petitioner

Vs

1. The District Collector
Dharmapuri District Dharmapuri.

2. The Executive Engineer
Highways Department Dharmapuri.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus forbearing the Respondent or their men agents or person or persons acting under them from demolishing or otherwise in any manner disturbing peaceful enjoyment of petition of land and building in S.No.665/9 of Nathathahalli Village, D.No.2/299, Nathathahalli Village, Indur, Dharmapuri.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.T.N.Rajagopalan,
Senior Government Pleader

ORDER

[Order of the Court was made by M.DURAI SWAMY J.,]

The petitioner has filed the above writ petition to issue a writ of mandamus forbearing the respondents from demolishing or disturbing his peaceful possession in respect of land and building in Survey No.665/9 of Nathathahalli Village, D.No.2/299, Nathathahalli Village, Indur, Dharmapuri.

2. It is the case of the petitioner that he has been residing in the said property for more than 35 years and also obtained

electricity connection for residential house and a small shop. Further, according to the petitioner, the respondents have made some measurement and have marked the limit upto which the building are to be demolished. Apprehending imminent danger of demolition of the building, the petitioner gave a representation dated 14.05.2015 to respondents 1 and 2. However, the respondents have not passed any orders on the representation.

3. Mr.T.N.Rajagopalan, learned Special Government Pleader, taking notice for the respondents submitted that the respondents may be directed to dispose of the representation of the petitioner within a stipulated time.

4. Having regard to the submissions made by the learned counsel on either side, we are of the considered view that the respondents can be directed to dispose of the representation of the petitioner within a stipulated time.

5. Accordingly, we direct the respondents 1 and 2 to consider the petitioner's representation dated 14.05.2015 and pass orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of . No costs. Connected miscellaneous petition is closed.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
Dharmapuri District Dharmapuri.

2. The Executive Engineer
Highways Department Dharmapuri.

+1cc to the Government Pleader, S.R.No.25340

W.P.No.15105 of 2015

JSV(CO)
CA(25/05/2015)