

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.15106 of 2015
and M.P.No.1 of 2015

S.Kannammal

.. Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Executive Engineer,
Highways Department,
Dharmapuri.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondent or their men or agents or person or persons acting under them from demolishing or otherwise in any manner disturbing peaceful enjoyment of petitioner land and building in S.No.665/9 of Nathathahalli Village, D.No.2/303, Nathathahalli Village, Indur, Dharmapuri.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.V.Subbiah,
Special Government Pleader

O R D E R

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

2. The petitioner claims that she has been issued with a house site patta by the Revenue Department of the Government of Tamil Nadu in respect of land admeasuring 0.00.88 cents in S.No.665/9 of Nathathahalli Village, D.No.2/303, Nathathahalli Village, Indur, Dharmapuri and she has put up superstructure and also running a small shop to eek out her livelihood. The grievance expressed by the petitioner is that the second respondent, under the guise of road widening, attempting to interfere with her peaceful possession and in this regard, the petitioner submitted a representation dated 14.05.2015 to the respondents and since she has not been favoured with any response, came forward to file this writ petition.

3. The learned counsel appearing for the petitioner would submit that the superstructure put up by the petitioner was given electricity service connection and was also subjected to statutory levies and without putting the petitioner on notice, interference on the part of the second respondent is unwarranted and hence, prays for appropriate orders.

4. Heard the submissions of Mr.V.Subbiah, learned Special Government Pleader, who accepts notice for the respondents.

5. Though the petitioner has prayed for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the petitioner's representation dated 14.05.2015, directs the second respondent to consider and dispose of the petitioner's representation dated 14.05.2015 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner and till such disposal by the second respondent, defer further action in respect of the property in question.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

jvm

To

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Executive Engineer,
Highways Department,
Dharmapuri.

1 cc to M/s. M. Selvam, Advocate, Sr. 28875

1 cc to Government Pleader, Sr. 28611

W.P.No.15106 of 2015

ALA (CO)

kk 22/6