

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :5.6.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.15954 of 2015

S.Sampath

... Petitioner

versus

1. The Divisional Engineer,
Highways Department,
No.216, Thindivanam Road,
Navakkarai, Tiruvannamalai.

2. The Assistant Divisional Engineer,
Highways Department,
Arani Sub Division, Paiyur, Arani.

... Respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to forthwith stop the un-authorized construction put in Survey No.147/4B, 155/4B situated at Kannoor Village, Sethupattu Sub-Division, Polur Circle, Tiruvannamalai District.

For petitioner

Mrs.Bhavani Subaroyan
For M/s.Royan Law Associates

For respondents

Mr.M.Digvijaya Pandian, A.G.P.

O R D E R

By consent, the main Writ Petition is taken up for final disposal.

2. The petitioner claims to have purchased various extent of agricultural lands in S.No.147/1, 147/4A, 155/4A, 155/4B, admeasuring a total extent of 47.50 cents, by way of a registered sale deed dated 30.6.2014, bearing Document No.2043/2014. The petitioner also claims to have purchased other lands by means of registered sale deeds dated 28.6.2013 and 22.3.2012, and after obtaining necessary permission, he has formed a layout.

3. The grievance expressed by the petitioner is that right, in the front of his layout, without any notice whatsoever, the first respondent is attempting to put up a wall and remove earth, and in this regard, a representation dated 2.6.2015 has been submitted to the second respondent and in spite of receipt of the same, further activities are going on and hence, came forward to file this Writ Petition.

4. Heard the submission of Mrs.Bhavani Subbarayon, learned counsel for the petitioner and Mr.Digvijaya Pandian, A.G.P., who accepts notice on behalf of the respondents.

5. Though the petitioner has prayed for a larger relief, this Court, in the facts and circumstances of the case, directs the second respondent to consider and dispose of the petitioner's representation dated 2.6.2015, in accordance with law, after giving an opportunity of personal hearing and pass orders within a period of four weeks from the date of receipt of a copy of this order and till then, maintain status quo as it exists today.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, M.P.No.1/2015 is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Divisional Engineer,
Highways Department,
No.216, Thindivanam Road,
Navakkarai, Tiruvannamalai.
2. The Assistant Divisional Engineer,
Highways Department,
Arani Sub Division, Paiyur, Arani.

+1cc to M/s.Royan Law Associates, Advocate, S.R.No.27133
+1cc to the Government Pleader, S.R.No.27188

W.P.No.15954 of 2015

KK(CO)
CA(23/06/2015)