

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18516 of 2015

C.Arumugam

... Petitioner

Vs.

1. District Collector,
Kanchipruam,
Kanchipuram District,
2. The Thahsildhar,
Thiruporur Taluk, Kanchipuram District,
3. The Revenue Inspector,
Thiruporur Taluk, Kanchipuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the first respondent to dispose of petitioner's representation dated 20.04.2015 and direct the restoration of petitioner's demolished house.

For Petitioner : Mr.Manoj Sreevalsan

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

ORDER

By consent of the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent, the writ petition is taken up for disposal.

2. The petitioner claims that he is owner of the land measuring to an extent of 1305 sq.ft of land together with a mud-walled hut measuring about 250 sq.ft in the same comprised in Door NO.330 Old Door No.316, Anna Street (formerly Lenin Nagar 3rd Street), Althur village, Thiruporur Taluk, Kanchipuram District. He has also been provided with electricity service connection. He further claims that he is also regularly paying property tax from the year 2006 onwards. The petitioner would further state that the Government of Tamil Nadu

has also identified his house among other houses in his village for the conversion of hut into concrete house and he was also issued eligibility card for the same under the seal of the jurisdictional Block Development Officer in the year 2010. The petitioner has also replaced the mud wall alone with wall made of hollow blocks without changing the extent of the hut (250 sq.ft.). However, it is the specific case of the petitioner that the 3rd respondent without prior intimation or notice, whatsoever, suddenly came to his house on 10.4.2015 and demolished his house and in this regard the petitioner's son has filed an application dated 15.4.2015 under Right to Information Act before the concerned Public Information Officer/Deputy Tahsildhar, Thiruporur Taluk seeking information regarding how and why the illegal demolition exercise was carried out. Though it was acknowledged, no reply was sent. The petitioner has given a representation in this regard to the first respondent on 20.04.2015 pointing out the illegalities and prays for restoration of the house and to take appropriate action against the officials concerned and it was acknowledged and to know the fate of the said representation he has also invoked Section 19 of the Right to Information Act and as no response is forthcoming, the petitioner has filed this writ petition

3. Heard the learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice for the respondents.

4. This Court, in the facts and circumstances of the case, without going into the merits of the representation made by the petitioner, directs the 1st respondent to consider the representation of the petitioner dated 20.4.2015 and pass orders on merits and in accordance with law as expeditiously as possible, and not later than four weeks from the date of receipt of copy of this order and communicate the decision taken, to the petitioner.

5. The writ petition is disposed of accordingly. However, there is no order as to costs.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

usk

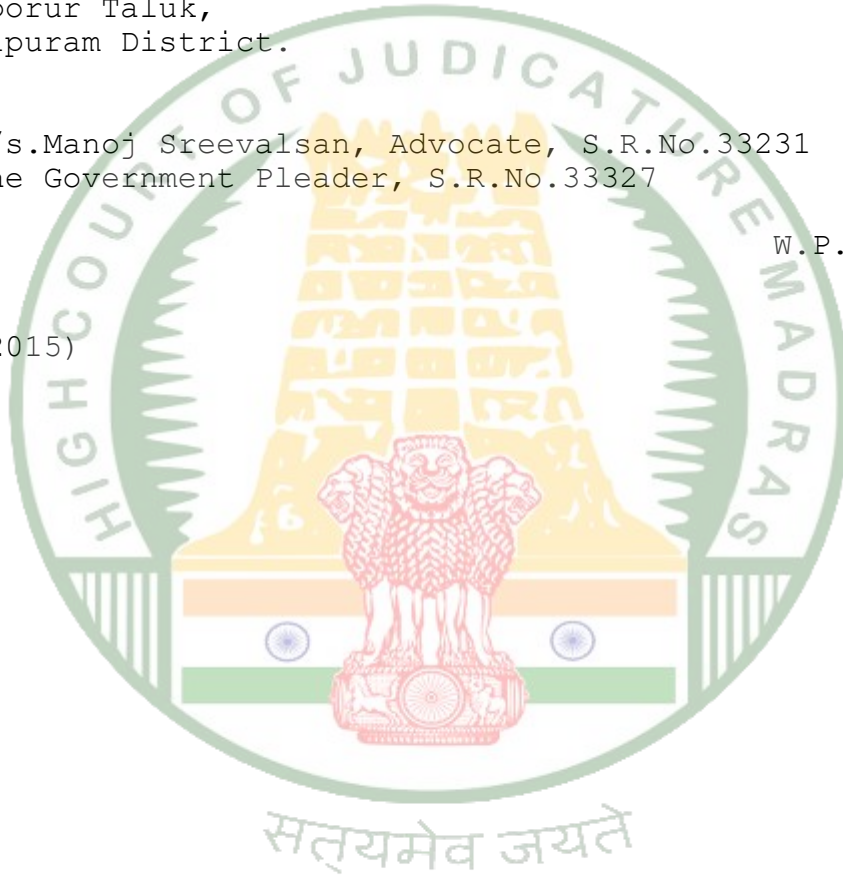
To

1. The District Collector,
Kanchipruam,
Kanchipuram District,
2. The Tahsildhar,
Thiruporur Taluk,
Kanchipuram District,
3. The Revenue Inspector,
Thiruporur Taluk,
Kanchipuram District.

+1cc to M/s.Manoj Sreevalsan, Advocate, S.R.No.33231
+1cc to the Government Pleader, S.R.No.33327

W.P.No.18516 of 2015

CNR(CO)
CA(14/07/2015)



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