

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.22728 of 2015

S.C.Mani

.. Petitioner

Vs

1.The District Collector,
Vellore District, Vellore.

2.S.Rajeswari

.. Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of mandamus directing the first respondent to remove the obstructions in a public road created by the second respondent at Balasundarar Vinayaga Koil Street within a stipulated time.

For Petitioner .. Ms.M.R.Sakunthala

For Respondents .. Mr.RAS. Senthilvel,
Addl. Govt. Pleader for R1

ORDER

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

2.The petitioner claims to be the owner of residential house at Old Door No.22, New Door No.76, Kosa Street, Kosapettai, Vellore Town, comprised in Town Survey No.941/2, Block No.15, Ward No.25, Vellore South Town through a registered sale deed dated 16.12.2002 registered as Document No.7965 of 2002 registered on the file of Joint Sub Registrar II, Vellore. The grievance expressed by the petitioner is that the property is situated in a narrow lane and the second respondent along with her husband, made an attempt to dig a pit for the purpose of laying foundation. Though it was objected to, it was done so to put up a water tank right in front of the public road without any permission whatsoever and it was causing nuisance and obstruction to the public and in this regard, he submitted a representation dated 23.03.2015 to the first respondent and since he has not been favoured with any response, came forward to file this writ petition.

3.Heard the submissions of Ms.M.R.Sakunthala, learned counsel appearing for the petitioner and Mr.RAS.Senthilvel, learned Government Advocate, who accepts notice on behalf of the first respondent.

4.This Court, in the light of the facts and circumstances and without going into the merits of the representation submitted by the petitioner, directs the first respondent to consider and dispose of the petitioner's representation dated 23.03.2015 in accordance with law, after putting on notice the second respondent and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the second respondent. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

The District Collector,
Vellore District, Vellore.

+1cc to Mr.T.Prabakaran, Advocate, S.R.No.38766

+1cc to the Government Pleader, S.R.No.39106

VD(CO)
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