

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI  
and  
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.25261 of 2015 and M.P. No.1 of 2015

R. Gunasekar

Petitioner

vs.

1 The District Collector  
Kancheepuram  
2 The Revenue Divisional Officer  
Madhurantagam  
3 The Tahsildar  
Madhurantagam  
4 G. Muthukrishnan  
5 P. Palani  
6 K. Seetharaman  
7 K. Subramani  
8 M. Elumalai  
9 A. Ranganathan  
10 V. Saravanan  
11 A. Kumarasamy  
12 S. Murali  
13 B. Ramajeyam  
14 E. Manigandan  
15 R. Palani

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to dispose of the petitioner's representation dated 05.05.2015.

For petitioner Mr. S.F. Mohamed Yousuf  
For RR 1-3 Mrs. A. Srijayanthi  
Special Government Pleader

WEB COPY

ORDER

(made by SATISH K. AGNIHOTRI, J.)

Mrs. A. Srijayanthi, learned Special Government Pleader, accepts notice for respondents 1 to 3. It is not necessary to issue notice to respondents 4 to 15, inasmuch as this is only a case of consideration of the petitioner's representation and no action can be

taken without providing an opportunity of hearing to them. Thus, with the consent of the learned counsel for the petitioner and the learned Special Government Pleader, this writ petition is taken up for final disposal, at the admission stage itself.

2 Aggrieved by the non-action on the part of the official respondents on his representation dated 5<sup>th</sup> April 2015, the petitioner has preferred the instant writ petition.

3 The petitioner is the President of Athur Village, Madhurantagam Taluk, Kancheepuram District. According to him, the lands measuring an extent of nearly 150 acres in the said village, belonging to the Government, are classified as Meykkal Poramboke. The villagers have been using the said lands as grazing fields for their cattle from time immemorial. While so, the private respondents have encroached upon the lands in question and are considering themselves as the owners of the said lands. Noticing the said encroachment, he has addressed a representation on 5<sup>th</sup> May 2015 to the District Collector, Kancheepuram, the first respondent herein, seeking removal of the said encroachments to facilitate grazing by the village cattle. Nonetheless, no action has been taken on his representation. Hence, the present writ petition for a writ of mandamus directing the first respondent to consider and pass orders on his aforestated representation within a time-frame.

4 Considering the limited scope of the relief sought by the petitioner, without going into the merits of the case, we direct the first respondent to consider the petitioner's representation dated 5<sup>th</sup> May 2015 on its own merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Ergo, take the consequential action accordingly within such time. Needless to state that no adverse action be taken by the authorities without affording an opportunity of hearing to the alleged encroachers, including the private respondents herein.

5 The writ petition stands disposed of with the above direction and observation. Costs made easy. Connected Miscellaneous Petition is closed.

WEB COPY  
Sd/-  
Asst.Registrar(CSV)

/true copy/

Sub Asst. Registrar

To

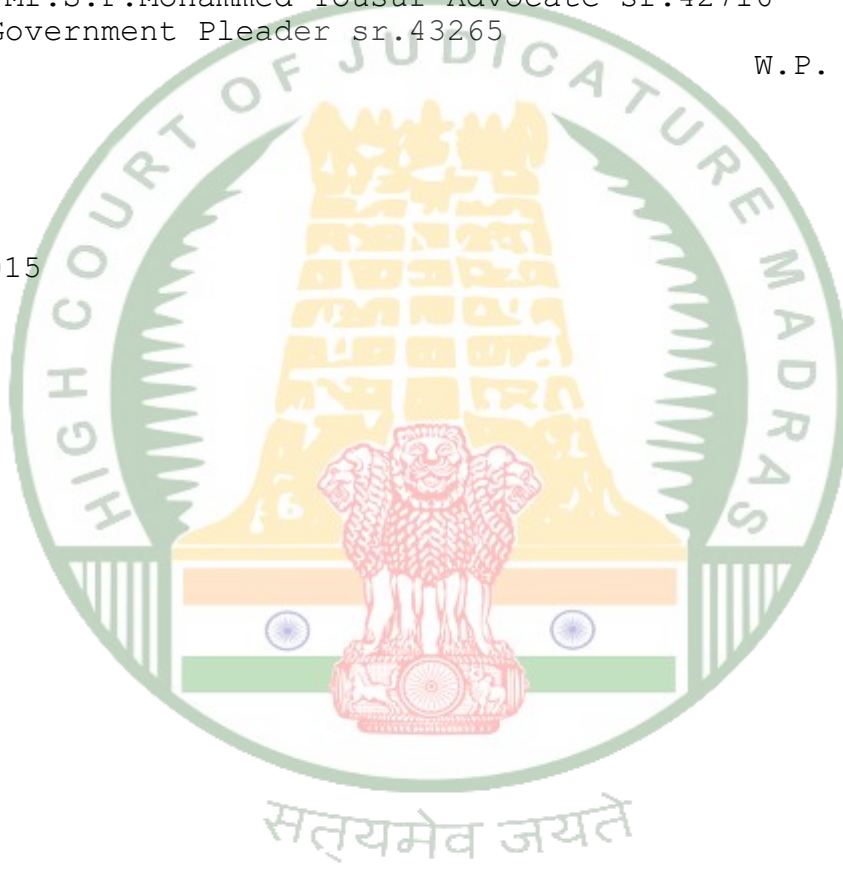
- 1 The District Collector  
Kancheepuram
- 2 The Revenue Divisional Officer  
Madhurantagam
- 3 The Tahsildar  
Madhurantagam

+2 ccs to Mr.S.F.Mohammed Yousuf Advocate sr.42716

+1 cc to Government Pleader sr.43265

W.P. No.25261 of 2015

tej (co)  
aa01/09/2015



WEB COPY