

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2015

CORAM:

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

W.P. No.28743 of 2015

D. Rajamanikam

Petitioner

vs.

1 The District Collector
Salem

2 The Revenue Divisional Officer
Attur

3 The Tahsildar
Attur

4 V. Ramar

5 N. Kasi

6 N. Rajendran

7 Lakshmanan

8 N. Perumal

9 M. Chinnasamy

10 Thangaraju

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the District Collector, Salem District, the first respondent to consider the representation dated 22.06.2015 submitted by the petitioner to remove the encroachment made by the respondent no.4 to 10 in S.No.416 situated in Thavalappti Village, Paithur South, Attur Taluk, Salem District.

For petitioner Mr. A. Rajakumar
For RR 1-3 Mr. N. Sakthivel
Government Advocate

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. N. Sakthivel, learned Government Advocate, accepts notice for respondents 1 to 3. Notice to the private respondents is dispensed with, as no adverse order is being passed in this writ petition. Thus, with the consent of the learned counsel for the petitioner and the learned Government Advocate appearing for respondents 1 to 3, this writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed seeking a writ of mandamus directing the first respondent, viz., the District Collector, Salem, to consider the petitioner's representation dated 22 June, 2015 to remove the encroachment made by the respondents 4 to 10 in S.No.416 situated in Thavalappti Village, Paithur South, Attur Taluk, Salem District.

3 Alleging that there is encroachment on the aforesaid Government road poramboke, the petitioner has seemingly addressed a legal notice dated 22 June 2015 to respondents 1 to 3 by way of a representation. For redressal of such a grievance, no legal notice is required to be sent. Rather, a mere representation to inform the authorities in respect of alleged encroachment is sufficient. As such, a week's time is granted to the petitioner to make a fresh representation to the authorities concerned, if so advised. In the event, the petitioner makes a fresh representation within a period of one week, the authorities concerned shall examine the facts, make a proper inspection and after affording an opportunity of hearing to the alleged encroachers, take consequential action if necessary, on merits and in accordance with law, within a period of six weeks from the date of receipt of fresh representation from the petitioner.

4 With the above direction and observation, the writ petition stands disposed of. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

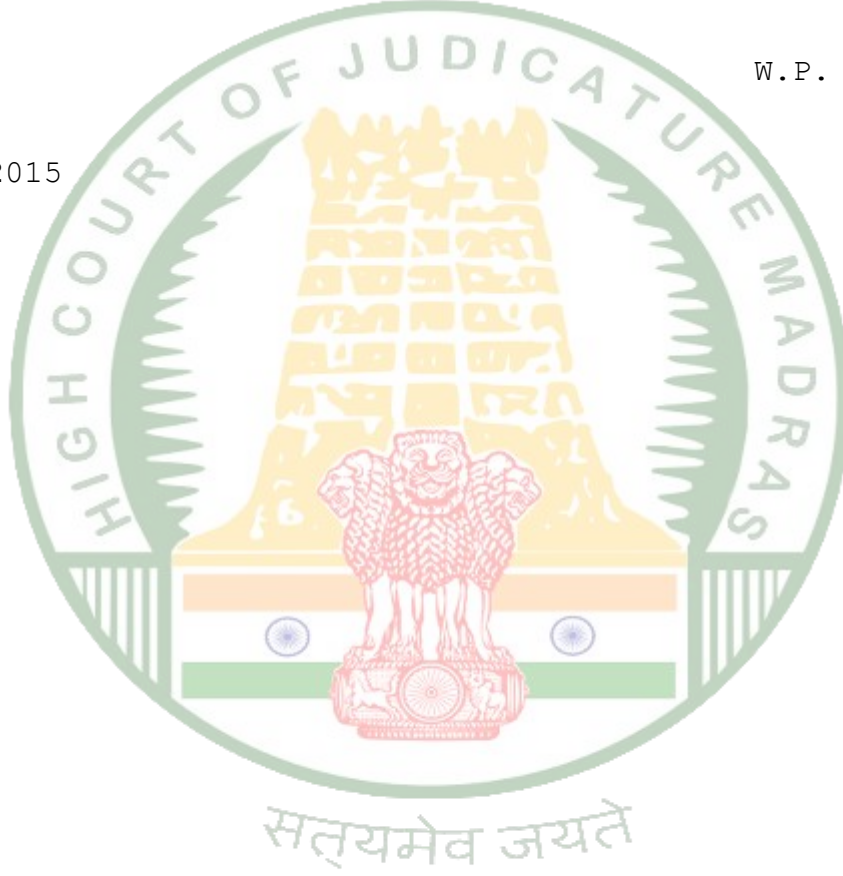
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To

- 1 The District Collector
Salem
 - 2 The Revenue Divisional Officer
Attur
 - 3 The Tahsildar
Attur.
- 1 cc to Government Pleader.Sr.No.50241

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