

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.18499/2014 & Mp.No.2/2014

1.M.Kalaiselvi
2.M.Ashok Kumar
3.M.Tamil Selvam

.. Petitioners

Versus

1. The Secretary
Government of Tamilnadu
Department of Local Administration
St George Fort, Chennai.

2. The Executive Officer
Pennagaram Panchayat Office
No.29, Panchayat Office St.,
Pennagaram, Dharmapuri District.

3. P.C.R.Ashok Kumar

.. Respondents

**R3 impleaded as per the order dated 14.10.2014
made in MP.No.1/2014

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to dispose of the representation dated 19.06.2014 within the stipulated time to enable the petitioner to get back their possession of the shop premises.

For Petitioners: Mr.S.N.Amarnath
For R1 : Mrs.P.Rajalakshmi, GA
For R2 : Mr.P.S.Jayakumar
For R3 : Mr.T.Saravanan

ORDER

Heard Mr.S.N.Amarnath, learned counsel for the petitioner and Mrs.P.Rajalakshmi, learned Government Advocate appearing for the 1st respondent ; Mr.P.S.Jayakumar, learned counsel appearing for the 2nd respondent and Mr.T.Saravanan, learned counsel for the 3rd respondent

and perused the material available on record including the counter affidavit filed by the 2nd respondent.

2.The petitioners seek for issuance of a writ of mandamus to direct the 2nd respondent to dispose of the representation dated 19.06.2014 within the stipulated time to enable the petitioner to get back their possession of the shop premises.

3.In the counter affidavit filed by the 2nd respondent it has been stated that pursuant to the representation made by the petitioners, an enquiry was conducted in which one of the petitioners, viz., M.Ashok Kumar, also participated on 05.07.2014 and he is said to sent a letter compromising the issue and has also withdrawn the representation dated 19.06.2014.

4.Learned counsel for the petitioner submitted that the submission is incorrect as there are serious violation committed and this has been pointed out by the petitioners and they have also referred to the conditions of the auction in this regard.

5.In the light of the above fact, the prayer sought for is only to consider the petitioners' representation and this Court cannot adjudicate beyond the scope of the prayer sought for. Accordingly, the writ petition is dismissed. However, this will not preclude the petitioners from agitating their claim in the manner known to law. No costs. Consequently, the connected miscellaneous petition is also dismissed.

AP

-s/d-

Assistant Registrar()

Dt:16/2/2015

True Copy

Sub-Assistant Registrar

To

1. The Secretary
Government of Tamilnadu
Department of Local Administration
St George Fort, Chennai.
2. The Executive Officer
Pennagaram Panchayat Office
No.29, Panchayat Office St.,
Pennagaram, Dharmapuri District.

+ 1 cc to the Govt. Pleader SR 7289

+ 1 cc to Mr.S.Parthasarathy, Advocate SR 7140

+ 1 cc to Mr.T.Saravanan, Advocate SR 7167

+ 1 cc to Mr.S.N.Amarnath, Advocate SR 7257

pa(co)
prk24/2

WP.No.18499/2014



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