

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2941/2015

P.Anbalagan

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Petitioner

Versus

1.The Tahsildar,
Erode, Erode District.

2.The Revenue Divisional Officer,
Erode, Erode District.

3.The District Revenue Officer
Erode, Erode District.

4.The District Collector
Erode, Erode District.

5.The Erode Weavers Cooperative Society Ltd
No.3, Kovalam Street, Erode 638001.

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 to 4 to pass orders on the representation of the petitioner dated 16.07.2013, 26.08.2014 and 26.09.2014 within a time frame as fixed by this Court in accordance with law.

For Petitioner : Mr.A.M.Amutha Ganesh

For RR 1 to 4 : Mr.V.Jayaprakash Narayanan, Spl.GP

ORDER

Heard Mr.A.M.Amutha Ganesh, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents 1 to 4 and with their consent, the writ petition is disposed of at the admission stage itself. Since the writ petition is disposed of at the admission stage itself without notice to the 5th respondent, the merits of the allegations

made by the petitioner as against the 5th respondent are not gone into and the same is left open to the authorities to take note of it.

2.The petitioners seek for issuance of a writ of mandamus to direct the respondents 1 to 4 to pass orders on the representation of the petitioner dated 16.07.2013, 26.08.2014 and 26.09.2014 within a time frame in accordance with law.

3.It is the case of the petitioner that the land in Survey No.267/1 originally belongs to the 5th respondent society and without any intimation to the Society, the respondents 1 to 4 declared an extent of 432 sq.ft. of the Society's land as Road without issuing any notice to the petitioner/Society or to the concerned land owners. The representations made to the respondents 1 to 4 dated 16.07.2013, 26.08.2014 and 26.09.2014 in this regard, did not evoke any response. Hence, the petitioner is before this Court.

4.Mr.V.Jayaprakash Narayanan, learned Special Government Pleader would submit that reasonable time may be given to the 1st respondent to consider and pass orders on the petitioner's representations.

5.In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the 1st respondent to consider the petitioners' representations dated 16.07.2013, 26.08.2014 and 26.09.2014 after issuing notice to the petitioner as well as to those persons whose interest is likely to be affected and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The Tahsildar,

Erode, Erode District.

2.The Revenue Divisional Officer,

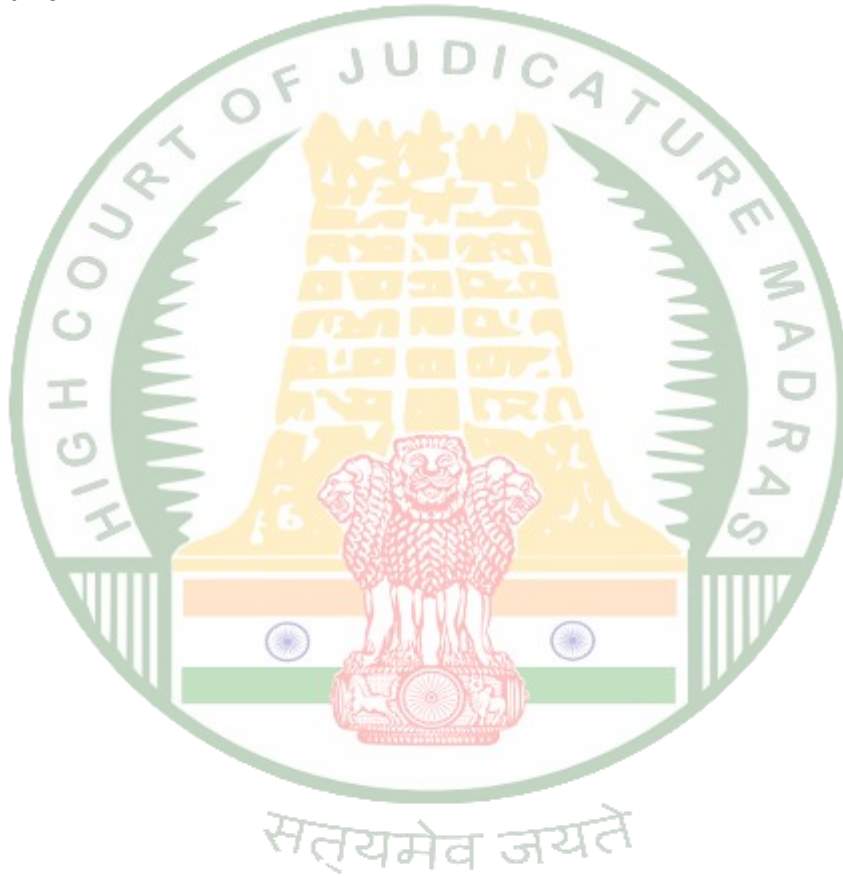
Erode, Erode District.

- 3.The District Revenue Officer
Erode, Erode District.
- 4.The District Collector
Erode, Erode District.
- 5.The Erode Weavers Cooperative Society Ltd
No.3, Kovalam Street, Erode 638001.

1 cc to Mr..A.M.Amutha Ganesh ,Advocate, SR.No.6897

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pmk.23.2.2015



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