

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.3787 of 2015

R. Kumaravel

...Petitioner

vs.

- 1 The District Collector
Coimbatore District
Coimbatore 641 018
- 2 The Revenue Divisional Officer
Coimbatore District
Coimbatore 641 018
- 3 The Tahsildar
Annur Taluk
Annur, Coimbatore District
- 4 The Tahsildar
North Taluk
Balasundaram Road
Coimbatore 641 018
- 5 A. Subramaniam

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider the petitioner's representations dated 18.08.2014, 15.12.2014 and 05.01.2015 within a time frame.

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For petitioner : Mr. A. Edwin Prabakar
For RR 1 - 4 : Mr. N. Sakthivel
Government Advocate

ORDER

This writ petition is filed seeking a writ of mandamus directing the respondents to consider the petitioner's representations dated 18.08.2014, 15.12.2014 and 05.01.2015 within a time frame.

2 Mr. N. Sakthivel, learned Government Advocate, takes notice for the respondents 1 to 4. It is not necessary to issue notice to the fifth respondent, as it is a case of only consideration of the petitioner's representations and no decision can be taken on the said representations without affording an opportunity of hearing to the fifth respondent. Thus, we are passing this order at the admission stage itself, without issuing notice to the fifth respondent.

3 Considering the limited scope of the relief sought by the petitioner, the concerned authorities are directed to consider and pass orders on the petitioner's representations dated 18.08.2014, 15.12.2014 and 05.01.2015 in accordance with law and on their own merits and take action for removal of encroachment, if, on enquiry, it is found that encroachment, as claimed by the petitioner, exists. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. Needless to state that any action taken has to be subject to a proper opportunity of hearing to the alleged encroachers, including the fifth respondent.

4 The writ petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

cad

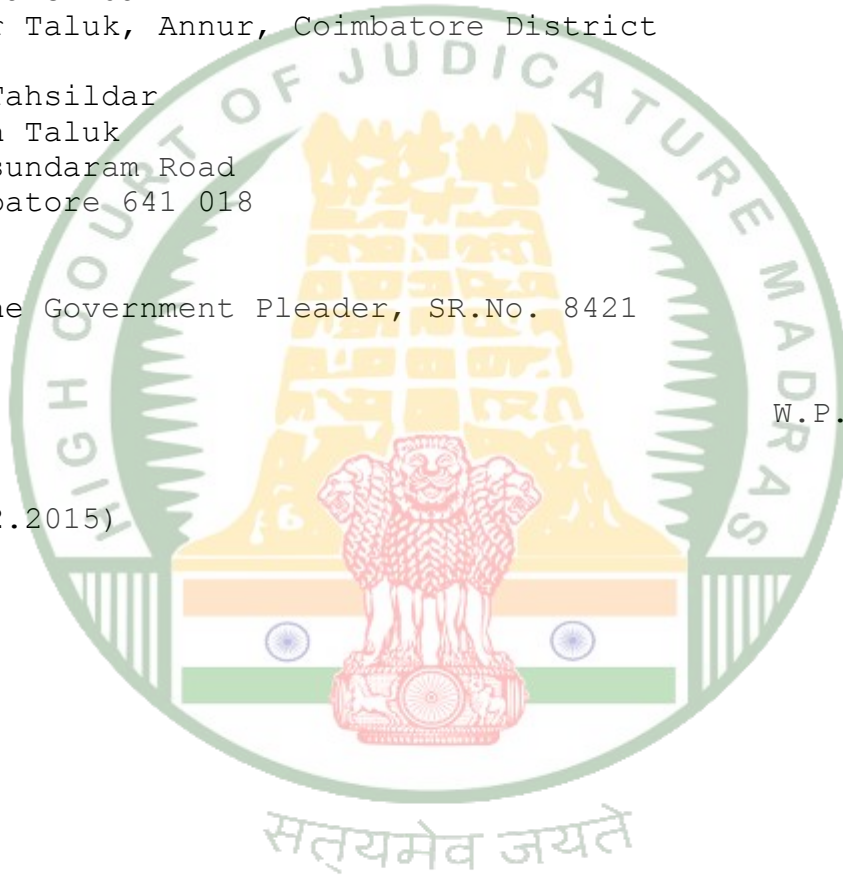
To

- 1 The District Collector
Coimbatore District
Coimbatore 641 018
- 2 The Revenue Divisional Officer
Coimbatore District
Coimbatore 641 018
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Annur Taluk, Annur, Coimbatore District
- 4 The Tahsildar
North Taluk
Balasundaram Road
Coimbatore 641 018

1 CC to the Government Pleader, SR.No. 8421

W.P. No.3787 of 2015

SAI (CO)
PSI (26.02.2015)



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