

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2015

CORAM

THE HON'BLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.39150 of 2015

Vijayarajan

[ PETITIONER ]

Vs

- 1 The District Collector  
Perambalur District- 600 056.
- 2 The Block Development Officer  
Town Panyachayat, Perambalur.
- 3 The President  
Melapuliyoor Village  
Perambalur District.

[RESPONDENTS]

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus, to direct the second Respondent to take appropriate action with regard to removal of bus shelter which is constructed in a improper manner affecting the fundamental right of the Petitioner to reside.

For Petitioner.. Mr.S.Silambu Selvan

For Respondents.. Mr.R.Vijayakumar

Additional Government Pleader

O R D E R

With the consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.S.Silambu Selvan, learned Counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepted notice on behalf of the respondents.

3.The petitioner has filed this Writ Petition for issuance of a writ of mandamus to direct the second respondent to take appropriate action for removal of bus shelter.

4.According to the petitioner, the bus shelter has been constructed alongside his property and one of the walls of the

bus shelter is the wall of his house and from the photographs produced, it is seen that one of the windows of the petitioner's house is opening into the bus shelter.

5.The learned Additional Government Pleader submits that the petitioner's house itself has been constructed on a land classified as 'manaivari porambokke'. However, it appears that till date no action has been taken.

6.The learned counsel for the petitioner submits that the petitioner has been issued with patta bearing No.226 in respect of the property comprised in S.No.231/12.

7.In the light of the above, there will be a direction to the second respondent to consider the petitioner's representation dated 05.10.2015, on merits and in accordance with law and submit appropriate report to the first respondent for necessary action.

The Writ Petition is disposed of accordingly. No costs.

rpa

s/d-  
Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

To

- 1 The District Collector  
Perambalur District- 600 056.
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Melapuliyoor Village  
Perambalur District.

+ 1 cc to Mr.Silambu Selvan, Advocate SR 66869

mg(co)  
prk28/12

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