

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 7-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.9960 of 2015

R.Jeyakumar

.. Petitioner

vs

- 1.The District Collector  
Villupuram, Villupuram District
- 2.The Tahsildar  
Tindivanam, Villupuram District
- 3.The Superintendent of Police  
Villupuram, Villupuram District
- 4.The Sub Inspector  
Aavanipur Police Station  
Tindivanam Circle
- 5.The Secretary  
State Highways Department  
Secretariat, Chennai
- 6.The Executive Engineer  
State Highways Department  
Avanipur, Tindivanam  
Villupuram District
- 7.Jothilakshmi Balachander
- 8.Damodaran
- 9.Balakrishnan

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 6 to remove the obstruction caused by the local BJP leaders of the respondents 7 to 9 by fixing the concrete permanent structure of BJP Party Flag Post in front of the petitioner's property.

For Petitioner : Mr.M.Kosalaraman  
For Respondents : Mr.R.Govindasamy  
Additional Government Pleader  
for RR1 to 6

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he has purchased a land admeasuring to an extent of 355  $\frac{1}{4}$  square feet at Aavanipur Village bearing Patta No.1116 comprised in Natham New No.178/1A, Old Survey No.243/B3, Tindivanam Taluk, Villupuram District, by means of a registered sale deed dated 3.6.2013, and the said property is facing the main road, through which all local buses will ply to the

respective destinations. The petitioner would further state that he recently planned to construct a superstructure on the property and therefore, he made a visit to the property on 1.3.2014, and to his shock and surprise, he saw that the respondents 8 and 9 belonging to a particular political party, at the instigation of the seventh respondent, have fixed a temporary wooden party flag post obstructing the passage and in this regard, he has submitted a detailed representation to the first respondent praying for appropriate action, wherein he has also indicated that in this regard, the attention of the second respondent was also invited, and though it was acknowledged on 2.3.2015, by the Office of the first respondent, no action was taken and hence, he came forward to file this writ petition.

3. Heard the submissions of Mr.M.Kosalaraman, learned Counsel appearing for the petitioner, and Mr.R.Govindasamy, learned Additional Government Pleader, who accepts notice for the respondents 1 to 6.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner, and without going into the merits of the representation, directs the second respondent to take into consideration the grievance expressed by the petitioner, and after putting the parties concerned on notice, shall make every endeavour to dispose of the representation of the petitioner dated 2.3.2015, on merits and in accordance with law, not later than four weeks from the date of receipt of a copy of this order. It is also open to the petitioner to submit a fresh representation to the second respondent by enclosing a copy of his earlier representation dated 2.3.2015, within a period of one week from today and on receipt of the same, the second respondent shall take into consideration the said representation also and pass orders as directed above. The writ petition accordingly, stands disposed of. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To:

1. The District Collector  
Villupuram, Villupuram District
2. The Tahsildar  
Tindivanam, Villupuram District
3. The Superintendent of Police  
Villupuram, Villupuram District

4.The Sub Inspector  
Aavanipur Police Station  
Tindivanam Circle

5.The Secretary  
State Highways Department  
Secretariat, Chennai

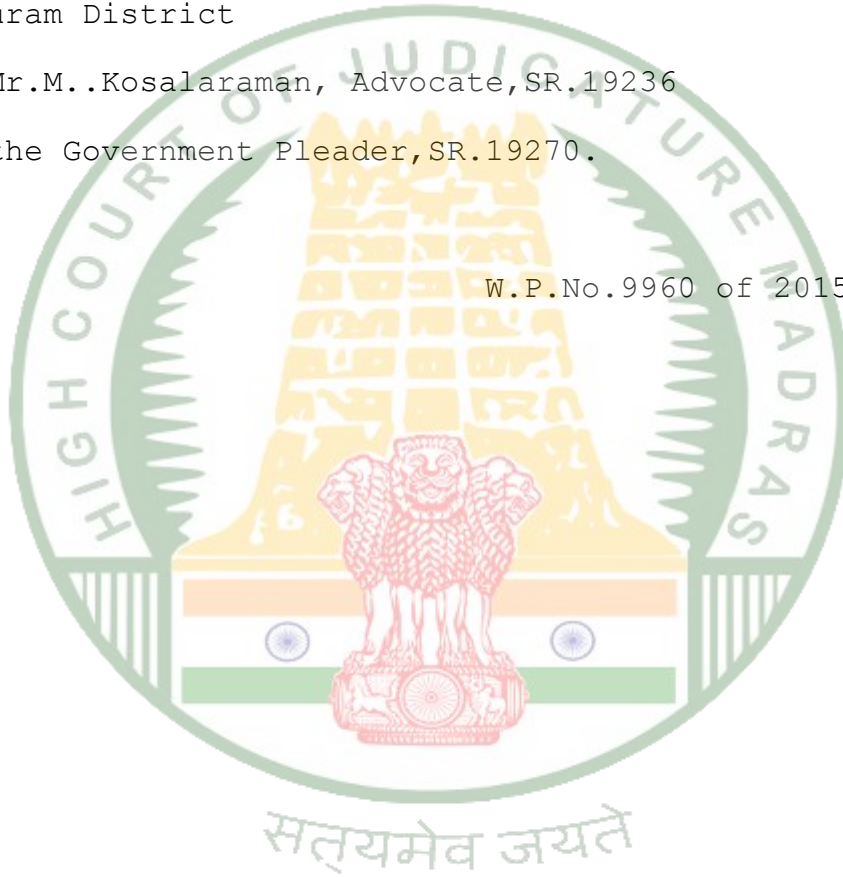
6.The Executive Engineer  
State Highways Department  
Avanipur, Tindivanam  
Villupuram District

+1 cc to Mr.M..Kosalaraman, Advocate,SR.19236

+1 cc to the Government Pleader,SR.19270.

rk(co)  
krd 28/4

W.P.No.9960 of 2015



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