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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2015

CORAM

THE HONOURABLE **MR.JUSTICE R.SUBBIAH**

W.P(MD) .No.17595 of 2015

S.Sethuraman

... Petitioner

Vs.

1.The District Collector,
Trichy District.

2.The Tahsildar,
Tahsildar Office,
Manapparai,
Trichy District.

... Respondents

Prayer : This Writ Petition has been filed under Article 226 of Constitution of India praying for a Writ of Mandamus, directing the second respondent to grant permission for the petitioner to put up furnace (மண்பாண்ட சூலை) in Survey No.1419, Thathamalaipatti, Pannapatti, Manaparai Taluk, Trichirappalli District enabling the Petitioner to pursue his earthenware business (மண்பாண்ட தொழில்) by considering the Petitioner's representation, dated 12.09.2015.

For petitioner	: Mr.G.Prabhu Rajadurai
For Respondents	: Mr.M.Murugan Govt. Advocate

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus, directing the second respondent to grant permission for the petitioner to put up furnace (மண்பாண்ட சூலை) in Survey No.1419, Thathamalaipatti, Pannapatti, Manaparai Taluk, Trichirappalli District enabling the Petitioner to pursue his earthenware business (மண்பாண்ட தொழில்) by considering the Petitioner's representation, dated 12.09.2015.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4. In the affidavit filed in support of the Writ Petition, it has been averred that the petitioner belongs to Thathamalaipatti Village in Manaparai Taluk. In the said village, 20 families are there and



they are doing earthenware business (மண்பாண்ட தொழில்). In survey No.1418, all the above said families have constructed their houses and they were producing earthenware pots. The said Survey Number was divided into two plots and they were given pattas for the respective lands. In survey No.1419 all of them put up furnace for cooking the finished earthenware products to give it a final shape. For the past 30 years, the petitioner and other families involved with earthenware business and using the said property in Survey No.1419. While so, one Mr.Perumal and Mr.Alagar developed enmity and threatened them not to put up any furnace. Hence, the petitioner and other family members gave a representation to the second respondent on 09.03.2015. Hence, a Peace Committee Meeting was conducted on 26.08.2015, in which the second respondent assured that he will take necessary steps for doing the earthenware business by putting furnace in Survey No.1419. Thereafter, they have been prevented from continuing their business. Therefore, the petitioner has made a representation to the second respondent on 12.09.2015, but till date, the same was not considered by the second respondent and hence, the petitioner has come forward with this Writ petition for the above stated relief.

5. Considering the facts and circumstances of the case, without going into the merits of the case, this Court directs the second respondent to consider the representation of the petitioner, dated 12.09.2015 by affording an opportunity of hearing to all the necessary parties and pass appropriate orders on the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector, Trichy District.

2.The Tahsildar, Tahsildar Office, Manapparai, Trichy District.

+1cc to Mr.T.Lajpathi Roy, Advocate Sr.No.57876

+1cc to The Special Government Pleader Sr.No.58142

akm/05.10.2015 /2p-5c/

W.P(MD).No.17595 of 2015