

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.13608 of 2016

K.M.Allauddin

... Petitioner

vs.

1.The District Collector,
Kancheepuram.

2.The Revenue Divisional Officer,
Sozhinganallur-II
Kancheepuram District.

3.The Tahsildar,
Sozhinganallur,-II
Kancheepuram District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider the petitioner's representation dated 24.03.2016 for regularization of Entry and Exist to layout by removing the walls at K.P.V. Nagar leads access to the petitioner plot No.40, comprised in S.Nos.229/2A, 229/2B, 229/2C and 229/3, Sozhinganallur Village -II, Kancheepuram District.

For Petitioner : Mr.S.Kumaresan

For Respondents : Mr.S.Pattabiraman, GA

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider his representation dated 24.03.2016 for regularization of Entry and Exit to layout by removing the walls at K.P.V. Nagar, so as to lead access to the petitioner's plot bearing No.40, comprised in S.Nos.229/2A, 229/2B, 229/2C and 229/3 at Sozhinganallur Village-II, Kancheepuram District.

2. The case of the petitioner is that he had purchased the house site in Plot No.40 measuring to an extent of 2573 sq.ft. comprised in S.Nos.229/2A, 229/2B, 229/2C and 229/3 situated in K.P.V. Nagar, Sozhinganallur Village, Kancheepuram District by way of registered sale deed dated 27.11.1991 bearing Document No.3952/1991. Thereafter, all the revenue records viz., Adangal, Patta, Encumbrance Certificate, Taxes and 'A' register pertaining to the property in question have been transferred in his name.

3. Now, the grievance of the petitioner is that the access to the layout in Sozhinganallur Village from the Main Road was blocked by constructing walls by some unknown persons, due to which, he has to take a lengthy way to reach his house site in plot No.40 situated in K.P.V. Nagar. In this regard, he made a complaint to the police attached to Central Crime Branch, Chennai. Though the officer concerned has issued summons dated 17.04.2014 calling for an enquiry, thereafter, he has not taken any steps to remove the said obstructions. Hence, he made a representation dated 24.03.2016 to the respondents to remove the obstructions caused to the layout. However, till date, no action has been taken by the respondents. Therefore, the petitioner has approached this Court with the present petition for the above stated relief.

4. Heard the learned counsel for the petitioner and the learned Government Advocate, who took notice for the respondents.

5. Considering the facts and circumstances of the case, this Court directs the respondents to consider the representation of the petitioner dated 24.03.2016, by affording an opportunity of personal hearing to the petitioner as well as to all the necessary parties, if any and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the respondents to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Kancheepuram.

2.The Revenue Divisional Officer,
Sozhinganallur-II
Kancheepuram District.

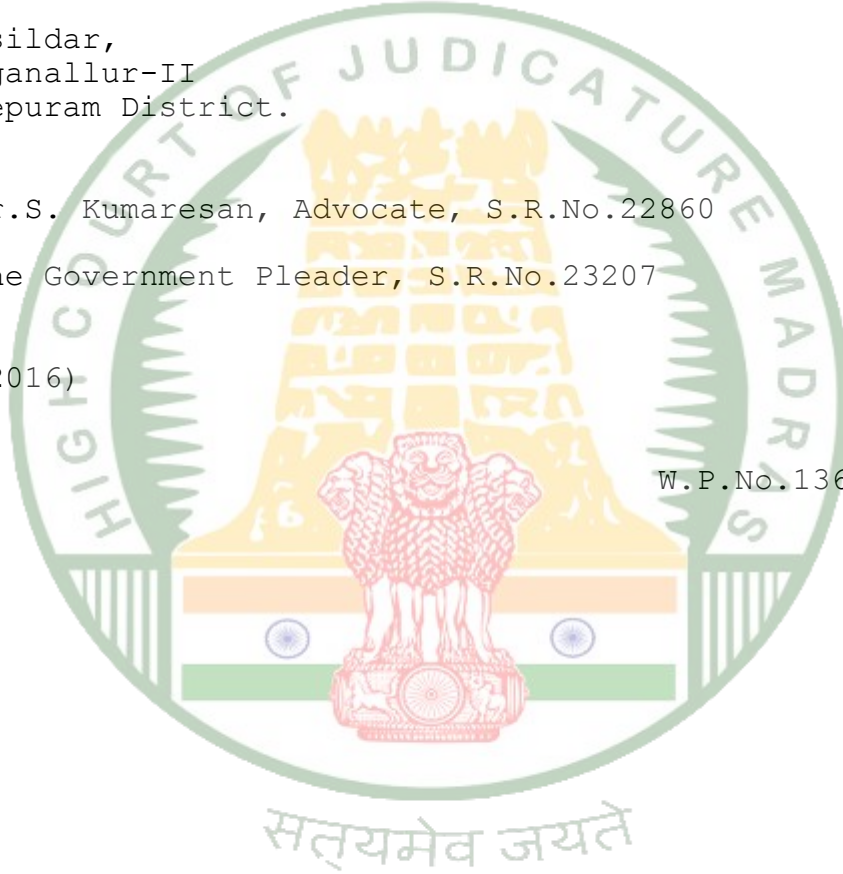
3.The Tahsildar,
Sozhinganallur-II
Kancheepuram District.

+1cc to Mr.S. Kumaresan, Advocate, S.R.No.22860

+1cc to the Government Pleader, S.R.No.23207

AD(CO)
EU(13/05/2016)

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