

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K.AGNIHOTRI  
and

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

W.P. No.13913 of 2016

S. Arokianathan

... Petitioner

Vs.

1. The Revenue Tahsildar  
Coonoor  
Nilgiris District

2. The Panchayat President  
Peratti, Coonoor  
Nilgiris District

3. The Panchayat Vice President  
Peratti, Coonoor  
Nilgiris District

4. Victor

5. Prabu

6. Felix

7. Siva

8. Sujitha

9. Stanley

10. Therasa

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the Revenue Tahsildar, Coonoor, the first respondent herein, to demolish the illegal construction blocking the access to Lions Colony, Coonoor.

For petitioner : Mr. N. Surya Senthil  
For R1 : Mr. P.S. Sivashanmugasundaram  
Special Government Pleader  
For RR 2 & 3 : Mr. R. Ravichandran

ORDER  
(delivered by SATISH K.AGNIHOTRI, J.)

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, accepts notice for the first respondent. Mr. R. Ravichandran, learned counsel, accepts notice for respondents 2 and 3. With consent, the writ petition is taken up for final disposal, at the admission stage itself.

2. This writ petition is filed seeking a writ of mandamus directing the first respondent to demolish the illegal construction, blocking the access to Lions Colony, Coonoor.

3. Taking note of the representations dated 27 October 2015 and 12 January 2016 made by the petitioner, the Revenue Divisional Officer, Coonoor, has already initiated action, as is evident from the notice dated 09 February 2016 issued to the private respondents, calling upon them to appear in person and establish that they have not made any encroachment, as alleged by the petitioner. According to the learned counsel for the petitioner, after the said notice, no further action has been taken and the encroachment still continues, causing obstruction and nuisance in the common pathway.

4. Be that as it may, at this stage, we are not inclined to adjudicate the dispute. However, on the request of the learned Special Government Pleader appearing for the first respondent, we direct the official respondents to proceed with the notice and take consequential decision, as per law, as early as possible, preferably within a period of six weeks from the date of receipt of a copy of this order.

The writ petition stands disposed of with the above direction. Costs made easy.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cad

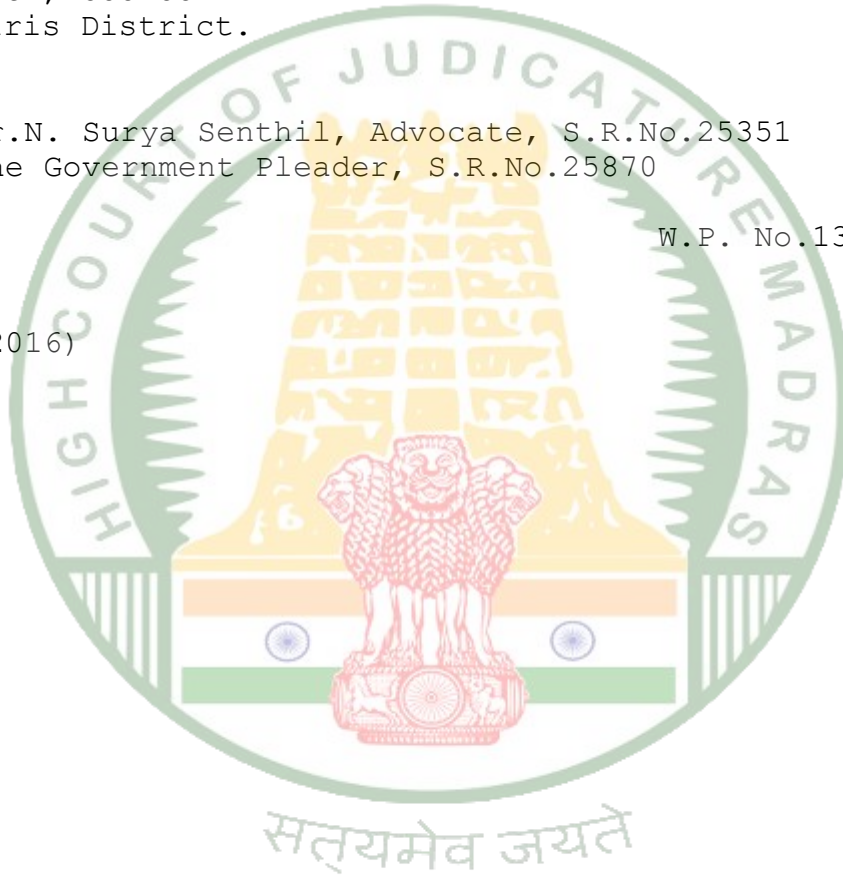
To

1. The Revenue Tahsildar  
Coonoor, Nilgiris District
2. The Panchayat President  
Peratti, Coonoor,  
Nilgiris District
3. The Panchayat Vice President  
Peratti, Coonoor  
Nilgiris District.

+1cc to Mr.N. Surya Senthil, Advocate, S.R.No.25351  
+1cc to the Government Pleader, S.R.No.25870

W.P. No.13913 of 2016

RSY(CO)  
CA(10/05/2016)



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