

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

W.P.No.32124 of 2014

and

M.P.No.1 of 2014

1. M.Ganapathy
 2. K.M.Nallasamy
 3. K.M.Ramalingam
 4. K.Chandrasekaran
 5. N.Rajkumar
- ...Petitioners

vs.

1. The District Collector
Collectorate, Erode 638 001.
 2. The Revenue Divisional Officer
Brough Road, Erode 638 001.
 3. The Tahsildar
Erode Taluk, Erode District.
 4. K.P.Elayappan
- ... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying to issue a writ of mandamus, forbearing the respondents from destroying the cart track in Survey No.357/1, Kagam Village, Erode Taluk and District, by considering the petitioners' representation dated 20.10.2014 submitted to the first respondent.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr.R.Ravichandran
Additional Government Pleader
for RR1 to 3
Mr.N.Manokaran for R4

ORDER

Heard.

<https://hcservices.ecourts.gov.in/hcservices/>

2. This writ petition has been filed praying that this Court may be pleased to issue a WRIT OF MANDAMUS, forbearing the

respondents from destroying the cart track, in Survey No.357/1, Kagam Village, Erode Taluk, Erode District, by considering the representation of the petitioners, dated 20.10.2014, submitted to the first respondent.

3. Even though detailed counter affidavits have been filed on behalf of the respondents, the learned counsel appearing on behalf of the respondents 1 to 3, had submitted that the representation of the petitioners, dated 20.10.2014, would be disposed of by the first respondent, on merits and in accordance with law, within the time limit, as may be directed by this Court.

4. In view of the said submission made by the learned counsel appearing on behalf of the respondents 1 to 3, this Court finds it appropriate to direct the first respondent to dispose of the representation of the petitioners, dated 20.10.2014, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioners, the fourth respondent and the other persons concerned, if any. The petitioners shall furnish a copy of their representation, dated 20.10.2014, to the first respondent along with a copy of this order. However, it is made clear that this Court, by this order, has not expressed any opinion on the merits of the matter.

5. The writ petition is disposed of, with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vj2

To

1. The District Collector
Collectorate, Erode 638 001.
2. The Revenue Divisional Officer
Brough Road, Erode 638 001.
3. The Tahsildar Erode Taluk, Erode District.
1 cc to Mr.R.Marudhachalamoorthy, Advocate, sr.40559
1 cc to Mr.N.Manoharan, Advocate, sr.40919
1 cc to Government Pleader, sr.40846