

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2016

CORAM

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

W.P. No.34623 of 2015

M.Ali

... Petitioner

Vs.

1. The District Collector,
O/o.The District Collector,
Villupuram,
Villupuram District.

2. The Tahsildar,
Ulundurpet Taluk Office,
Ulundurpet,
Villupuram District.

3. Valli

.... Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 22.06.2015 by removing the encroachment made by the third respondent in Government Kuttai poramboke in Survey No.416 and Survey No.416 (4A), U.Keeranoor Village, Ulundurpet Taluk, Villupuram District.

For Petitioner : Mr.R.Amardeep

For Respondents : Mr.P.S.Sivashanmugha Sundaram,
Special Government Pleader
for R1 and R2

Ms.Hema Sampath,
for Ms.R.Meenal for R3

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2.By way of this writ petition, the petitioner seeks a direction to the first and second respondents to consider his representation dated 22 June 2015, wherein, an allegation of encroachment made by the third respondent in Government Kuttai poramboke in Survey No.416 and Survey No.416 (4A), U.Keeranoor Village, Ulundurpet Taluk, Villupuram District, was made.

3.Taking note of the representation, the Executive Officer, Ulundurpet Town Panchayat, Villupuram District, has issued a notice dated 11 November 2015, calling upon the third respondent to submit her representation. In the meantime, it appears that the third respondent had preferred a civil suit in O.S.No.26 of 2016 on the file of the I Additional District Munsif, Ulundurpet.

4.The learned senior counsel appearing for the third respondent fairly submits that since notice has been issued, the third respondent be given an opportunity to place her case in response to the notice as aforestated and thereafter, the decision be taken.

5.We are informed that the pending suit has been withdrawn by the third respondent on 09 March 2016. In such view of the matter, we grant two weeks' time to the third respondent to make representation and place her case before the authority thereon. The Executive Officer, Ulundurpet Town Panchayat, Villupuram District, is directed to examine the representation adverting to all the issues raised by the petitioner and take a final decision within a period of two weeks thereafter.

6.With the aforestated observation and direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mmi

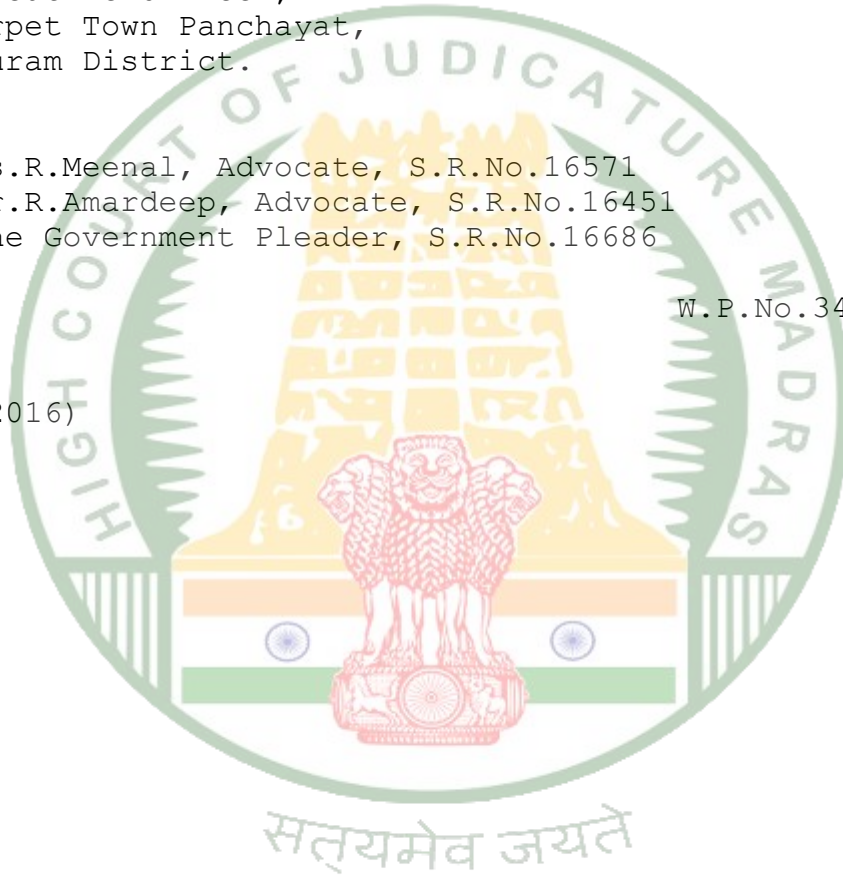
To

1. The District Collector,
O/o.The District Collector,
Villupuram, Villupuram District.
2. The Tahsildar,
Ulundurpet Taluk Office,
Ulundurpet, Villupuram District.
3. The Executive Officer,
Ulundurpet Town Panchayat,
Villupuram District.

+1cc to Ms.R.Meenal, Advocate, S.R.No.16571
+1cc to Mr.R.Amardeep, Advocate, S.R.No.16451
+1cc to the Government Pleader, S.R.No.16686

W.P.No.34623 of 2015

VD(CO)
CA(06/04/2016)



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