

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.25356 of 2016

Ravammal
W/o Pachamuthu

... Petitioner

-Vs-

1. The District Collector
Thiruvallur District
The Collectorate
Thiruvallur District

2. The Executive Officer & President
Nandhimangalam Village
Pondavakkam Post
Uthukottai Taluk
Thiruvallur District

3. K.Ravichandran @ Ravishankar

... Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
second respondent to consider the petitioner's representation
dated 06.06.2016.

For Petitioner : Mr.S.Udhayakumar for
M/s Karan & Uday

For Respondents : Mr.P.S.Sivashanmugasundaram
Special Government Pleader for R1
Mr.N.Srinivasan
Additional Government Pleader
for R2

ORDER

(Order of the Court was delivered by HULUVADI G.RAMESH, J.)

The petitioner seeks for issuance of a writ of mandamus,
directing the second respondent to consider the petitioner's
representation dated 06.06.2016.

2. Heard the learned counsel for the petitioner.

3. It appears that the petitioner is the owner of the property situated in Survey Nos.468/1c, 462/2B at Ponthavakkam Village, Uthukottai Taluk, Thiruvallur District and the third respondent herein is the adjacent owner. Alleging that the third respondent had encroached upon the eastern side property of the petitioner by putting up construction, she is said to have given a complaint before the second respondent and the same has been acted upon. However, challenging the same, the third respondent is said to have approached this Court already and the respondent authority was directed to take a decision in accordance with law. In this backdrop, the petitioner has approached this Court seeking for disposal of her representation on the ground that no action has been taken by the respondent authority against the third respondent.

4. In our view, since the third respondent had already approached this Court and the respondent authority had been directed to take a decision in accordance with law in respect of the dispute raised in this writ petition, it is for the petitioner to approach the respondent authority or else she can also get herself impleaded in the appeal by the third respondent and take all available defences for disposal of the same in accordance with law by the appellate authority. With this observation, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ss

To

1. The District Collector
Thiruvallur District
The Collectorate
Thiruvallur District
2. The Executive Officer & President
Nandhimangalam Village
Pondavakkam Post
Uthukottai Taluk
Thiruvallur District

+1cc to M/s.Karan & Uday, Advocate, S.R.No.41366

+1cc to the Government Pleader, S.R.No.41567

W.P.No.25356 of 2016

PA(CO)
CA(04/08/2016)