

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2016

CORAM:

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

W.P. No.2685 of 2016

P. Kannayiram

...Petitioner

Vs.

- 1 The District Collector
Thiruvannamalai District
Thiruvannamalai
- 2 The Tahsildar
Vembakkam Taluk
Vembakkam
Thiruvannamalai District
- 3 The Branch Secretary
All India Anna Dravida Munnetra Kazagam
Natteri Village
Vembakkam Taluk
Thiruvannamalai District
- 4 The Branch Secretary
Dravida Munnetra Kazagam
Natteri Village
Vembakkam Taluk
Thiruvannamalai District
- 5 The Branch Secretary
Pattali Makkal Katchi
Natteri Village
Vembakkam Taluk
Thiruvannamalai District
- 6 The Branch Secretary
Desia Murpokku Dravida Kazagam
Natteri Village
Vembakkam Taluk
Thiruvannamalai District
- 7 The Branch Secretary
Marxist Community Party of India
Natteri Village
Vembakkam Taluk
Thiruvannamalai District

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the second respondent to dispose of the petitioner's representation dated 26.10.2015.

For petitioner :Mr. B. Udaya Chander

For RR 1 & 2 :Mrs. A. Srijayanthi
Special Government Pleader

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mrs. A. Srijayanthi, learned Special Government Pleader, accepts notice for respondents 1 and 2. Notice to other respondents is dispensed with at this stage, inasmuch as no adverse order is passed against them, in this writ petition. Thus, with the consent of the learned counsel for the petitioner and the learned Special Government Pleader appearing for the official respondents, 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 second respondent to dispose of the petitioner's representation dated 26 October 2015.

3 According to the petitioner, he is the absolute owner of the land in question, which was purchased by him by a valid sale deed dated 18 March 2013. He has also obtained patta for the said land and has been in possession and enjoyment of the same right from the date of its purchase. Complaining that ingress and egress to his land is blocked by erection of flag pillars by respondents 3 to 7, who are political parties, as a result of which he is not able to carry construction materials to his land, he addressed a representation dated 26 October 2015 to the Tahsildar, Vembakkam Taluk, Vembakkam, Tiruvannamalai District, seeking removal of the said encroachment. Since the same was not acted upon, he addressed a representation to the first respondent, viz., the District Collector, Tiruvannamalai, seeking necessary action. Pursuant to the same, the first respondent directed the second respondent to take necessary action on the petitioner's representation dated 26 October 2015. Yet, the second respondent has not taken any action on the petitioner's representation dated 26 October 2015. Hence, the present writ petition, seeking the aforestated relief.

4 Considering the limited scope of the relief sought by the petitioner, without going into the merits of the case, we direct the second respondent to consider and pass orders on the petitioner's representation dated 26 October 2015, on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Needless to state that an opportunity of hearing be afforded to the private respondents, before taking any consequential action, if need be.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

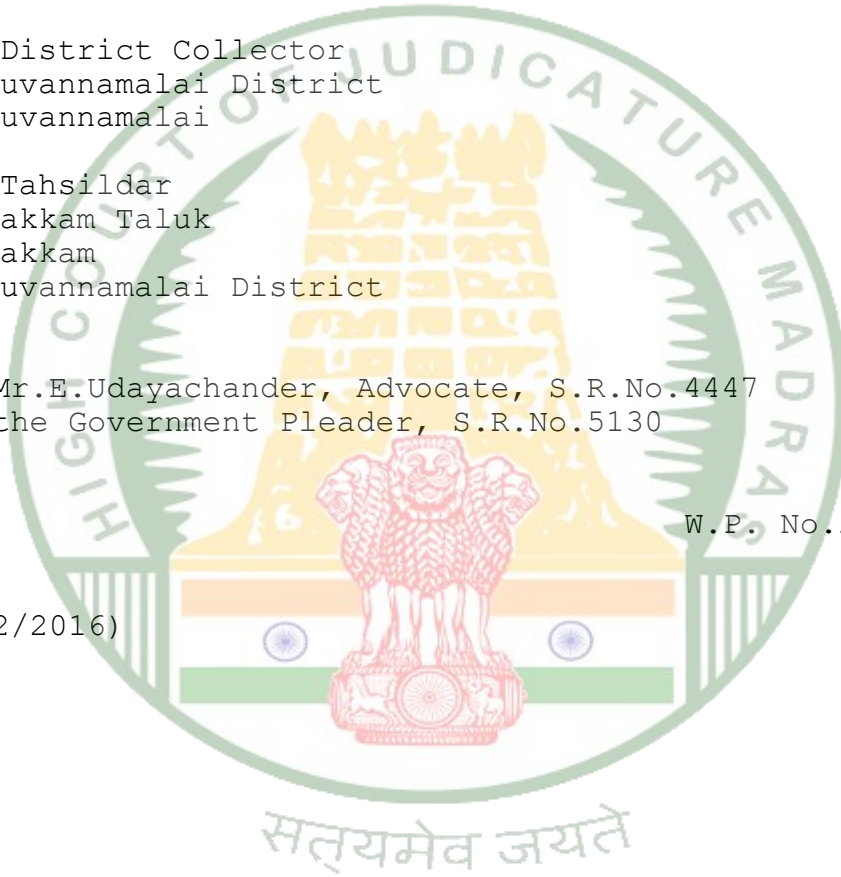
To

- 1 The District Collector
Thiruvannamalai District
Thiruvannamalai
- 2 The Tahsildar
Vembakkam Taluk
Vembakkam
Thiruvannamalai District

+2cc to Mr.E.Udayachander, Advocate, S.R.No.4447
+1cc to the Government Pleader, S.R.No.5130

W.P. No.2685 of 2016

rv(CO)
srg(09/02/2016)



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