

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.08.2016

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27627 of 2016

Kanagambal,
W/o.(late) Subbrayan,
179, Thoppanayakkan Patti Village,
Vadugam Post,
Rasipuram Taluk,
Namakkal District. Petitioner

Vs.

- 1.The President,
Vadugam Village Panchayat,
Vadugam Village,
Rasipuram Taluk,
Namakkal District.
2. Village Administrative Officer,
Vadugam Village,
Rasipuram Taluk,
Namakkal District.
3. The Tahsildar,
Taluk Office,
Rasipuram Taluk,
Namakkal District.
4. The Block Development Officer,
Village Panchayat,
Vadugam Village,
Rasipuram Taluk,
Namakkal District.
5. The District Revenue Officer,
District Collectorate,
Namakkal District.
6. The District Collector,
District Collectorate,
Namakkal District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to consider the representation dated 25.07.2016 sent by the Petitioner to the Respondents and construct the Village Service Centre at an alternate site.

For Petitioner : Mr.K. Ramasamy

For Respondents: M/s.T. Girija,
Government Advocate [R1]
Mr.R.A.S. Senthilvel
Addl. Government Pleader[R2,3,5& 6]
Mrs. K. Bhuvaneswari
Govt. Advocate (R4)

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner claims that she is the owner of the lands comprised in Survey Nos.93/4, 97/2 and 96/2 situated at Vadugam Village, Rasipuram Taluk, Namakkal District and eke out her livelihood by doing agricultural operations. The petitioner would further state that adjacent to the lands, there is a Poromboke land in Survey No.92, admeasuring to an extent of 1.135 hectares, out of which, a portion of 30 cents have been used and enjoyed by her father-in-law for the past 70 years and on his demise, the said lands were under the enjoyment of the petitioner and her husband and it is not only used for the purpose of cultivation, but also as a path for ingress and egress to the adjacent lands and to access the lands of the petitioner.

3. The grievance expressed by the petitioner is that the said land is ought to be taken possession for the purpose of putting up a Village Service Centre and in this regard, the petitioner has also submitted a representation dated 25.07.2016 to the respondents and despite the receipt of the same, no orders have been passed and hence, came forward to file this writ petition.

4. Heard the submissions of Mr.K.Ramasamy, learned counsel appearing for the petitioner and Ms.T.Girija, learned Government Advocate, who accepts notice on behalf of the first respondent, Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice on behalf of the respondents 2, 3, 5 and 6 and Mrs.K.Bhuvaneswari, learned Government Advocate, who accepts notice on behalf of the four respondent.

5. Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the fifth respondent to consider and dispose of the petitioner's representation dated 25.07.2016 in accordance with law, after putting on notice the persons concerned and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

vsm/rm

To

- 1.The President,
Vadugam Village Panchayat,
Vadugam Village,
Rasipuram Taluk,
Namakkal District.
2. Village Administrative Officer,
Vadugam Village,
Rasipuram Taluk,
Namakkal District.
3. The Tahsildar,
Taluk Office,
Rasipuram Taluk,
Namakkal District.
4. The Block Development Officer,
Village Panchayat,
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Namakkal District.
5. The District Revenue Officer,
District Collectorate,
Namakkal District.
6. The District Collector,
District Collectorate,
Namakkal District.

+1cc to Mr.K. Ramasamy, Advocate, S.R.No.45077
+1cc to Ms.K. Bhuvaneswari, Advocate, S.R.No.45648
+1cc to the Government Pleader, S.R.No.45194

BVR(CO)
EU(01/09/2016)

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