

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27867/2016 & WMP.No.24034/2016

Virushabadass

.. Petitioner

Vs.

- 1.The District Collector
O/o.The District Collector
Tiruvannamalai, Tiruvannamalai District.
 - 2.The District Revenue Officer
O/o.The District Collector
Tiruvannamalai District.
 - 3.The Tahsildar
Ishakolathur Village, Permanallur
Post, Chetpet Taluk, Tiruvannamalai District.
 - 4.The Block Development Officer
Peramnallur Union, Ishakolathur Village
Madam Post, Chetpet Taluk,
Tiruvannamalai District.
 - 5.The President
Ishakolathur Village Panchayat
Madam Post, Chetpet Taluk
Tiruvannamalai District.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents herein to dispose the representation made on 22.07.2016 and restraining the respondents 1 to 5 or his men from laying road in the petitioner's property comprised in S.No.149/22 to the extent of more than 25 cents along with the plot Nos.25 and 26 registered through a Sale Deed dated 14.05.1965 vide document No.0917/1965 before the Office of the Sub Registrar, Chetpet Taluk, Vandavasi, Tiruvannamalai District by the respondents herein.

For Petitioner : Mr.Vimal B.Crimson
For RR 1 to 3 : Mr.A.N.Thambidurai, Spl.GP
For R4 : Mr.M.Velumani, GA

O R D E R

By consent, the writ petition is taken up for final disposal.

2 The petitioner would state that he along with his two brothers, had purchased a property comprised in S.No.149/22, admeasuring to an extent of 25 cents and odd along with the lands in Plot Nos.25 and 26, through a registered Sale Deed bearing Document No.0917/1965 dated 14.05.1965, registered on the file of the Sub Registrar, Chetpet Taluk, Tiruvannamalai District and claim to be in possession and enjoyment of the same. The petitioner and his brothers had also applied for patta, chitta and both the documents were issued to them. It is the specific claim of the petitioner that the property purchased by him and his brothers is not an encroachment on any public property and however, putting the petitioner on notice, whatsoever, attempts are being made to lay a road and in this regard, the petitioner has also submitted a representation dated 22.07.2016 to the respondents and since no orders have been passed, he came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3 and Mr.M.Velumani, learned Government Advocate who accepts notice on behalf of the 4th respondent.

4 Though the petitioner has 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 4th respondent to consider and dispose of the petitioner's representation dated 22.07.2016, in accordance with law, after putting on notice, the person/s concerned and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the person/s concerned.

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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The District Collector
O/o.The District Collectorate
Tiruvannamalai, Tiruvannamalai District.

2.The District Revenue Officer
O/o.The District Collectorate
Tiruvannamalai District.

3.The Tahsildar
Ishakolathur Village, Permanallur
Post, Chetpet Taluk, Tiruvannamalai District.

4.The Block Development Officer
Peramnallur Union, Ishakolathur Village
Madam Post, Chetpet Taluk,
Tiruvannamalai District.

+1 cc to Mr.Vimal B.Crimson, advocate,sr.45732

+1 cc to Govt.Pleader,sr.45879.

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