

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.3422 of 2016

E.Ravi

... Petitioner

vs

1. The District Collector
Kancheepuram District.

2. Janakiraman

3. A.Manivannan

4. Kavitha

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent to take appropriate action on the petitioner's complaint dated 04.01.2016 against the second respondent herein in accordance with law.

For Petitioner : Mr.B.Manoharan

For Respondents : Mr.P.Sanjai Gandhi
Additional Govt.Pleader for R1

O R D E R

The prayer in the writ petition is to issue a Writ of Mandamus directing the first respondent to take appropriate action on the petitioner's complaint dated 04.01.2016 against the second respondent herein in accordance with law.

2. The case of the petitioner is that he was appointed as a Power Agent of one Vimal Singh to deal with the property situated in Survey No.22/5 at Thirumanchery Village vide document No.1710 of 2007. After execution of the said Power of Attorney and on payment of the entire sale consideration, the possession was handed over to the petitioner. In the meantime, the third respondent approached him for the purchase of the land and since the offer made by him was not agreed, he colluded with others and managed to get a sale deed. Hence, the petitioner

preferred a police complaint as against the third respondent. Thereafter, the third respondent filed a suit in O.S.No.86 of 2013 as against the petitioner seeking declaration in respect of the above land measuring 18 cents. According to the petitioner, the third and fourth respondents herein through their power agent applied for sub-division of land and the same was objected by him; therefore, it was rejected.

3. It is the further case of the petitioner that the third respondent also filed an application before the Block Development Officer, Kattankalathur seeking plan approval. The same was approved by the second respondent herein without any jurisdiction. Therefore, the petitioner preferred a detailed complaint as against the second respondent who has granted the plan approval colluding with the third and fourth respondents herein and by misusing his statutory power. Though the complaint was submitted as early as 04.01.2016, till date no action has been taken by the first respondent. Hence the present writ petition.

3. Heard the learned counsel for the petitioner and Mr.P.Sanjai Gandhi, learned Additional Government Pleader appearing on behalf of the first respondent. In view of the order that is going to be passed in the writ petition, notice to respondents 3 and 4 are dispensed with, who are private parties.

4. Considering the facts and circumstances of the case, the first respondent is directed to conduct an enquiry on the complaint given by the petitioner dated 04.01.2016 and pass detailed order on merits and in accordance with law after affording an opportunity of personal hearing to the petitioner as well as the third and fourth respondents herein within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the matter and it is for the first respondent to decide the issue on merits.

5. With the above observation, this writ petition is disposed of. No costs.

vj2

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

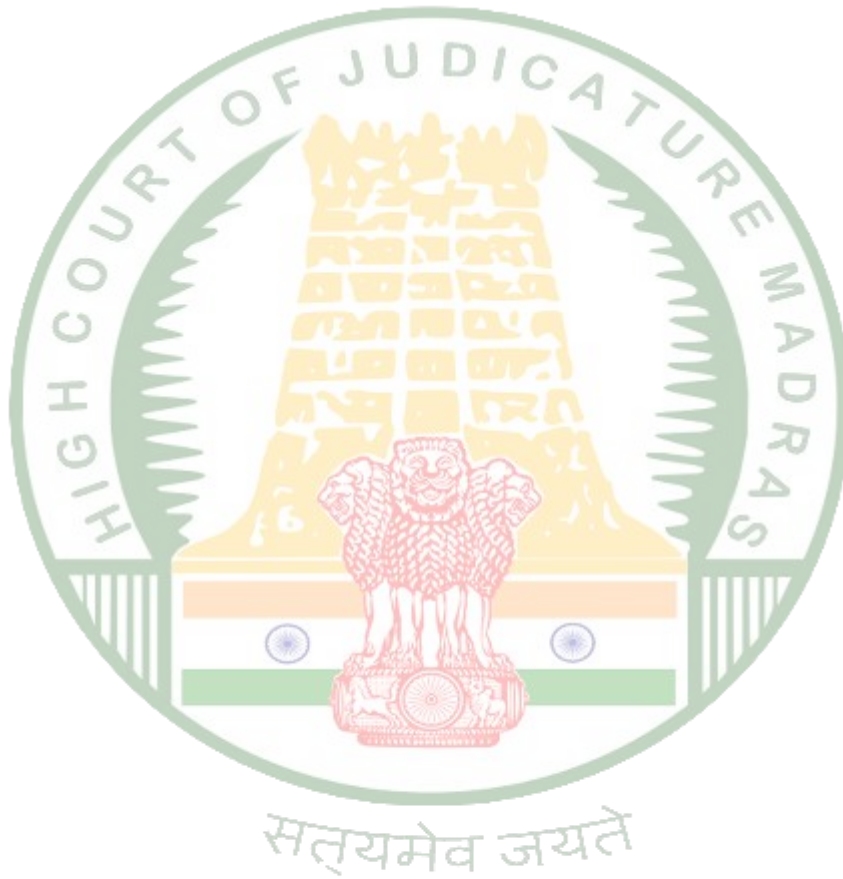
The District Collector
Kancheepuram District.

+ 1 cc to Govt.Pleader SR 6512

+ 1 cc to Mr.B.Manoharan, Advocate SR 6263

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