

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.40540 of 2016

B.Aravindan

... Petitioner

Versus

1. The Tahsildar,
Arani Taluk,
Arani Town and Taluk,
Thiruvannamalai District.
2. The Village Panchayat President,
Irumbedu Hamlet Village,
Pazhangamur Post & Village,
Arani Taluk, Tiruvannamalai District.
3. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
4. The Executive Engineer,
Tamilnadu State Highways,
Cheyyar Town and Taluk,
Thiruvannamalai District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus, to direct the first and second respondents to remove the Harichandaran Stone which is situated on the road margin of Kancheepuram-Arani Road under the control of the 4th respondent, which is situated immediately in front of the property of the petitioner comprised in S.No.349, land of an extent of acre 2.58 cents, situated in Irumbedu Hamlet Village and place the same in place at another suitable place adjacent to the burial-ground of Irumbedu Village, Pazhangamur Post & Village, Arani Taluk, Thiruvannamalai District, based upon the representation of the petitioner in terms of a Legal Notice dated 07.04.2016.

For Petitioner : Mr.A.Palaniappan

For Respondents : Mr.P.Senthilvel,
Government Advocate

ORDER

The writ petition has been filed for issuance of a writ of mandamus directing the first and second respondents to remove the Harichandaran Stone, which is situated on the road margin of Kancheepuram-Arani Road under the control of the 4th respondent, which is situated immediately in front of the property of the petitioner comprised in S.No.349, measuring an extent of 2.58 cents, situated in Irumbedu Hamlet Village and place the same in another suitable place adjacent to the burial-ground of Irumbedu Village, Pazhangamur Post & Village, Arani Taluk, Thiruvannamalai District, based upon the representation of the petitioner in terms of a Legal Notice dated 07.04.2016.

2. The Apex Court has already passed an order stating that the lawyer notice cannot be treated as a representation. Therefore, the prayer sought for in the writ petition cannot be granted. However, the petitioner is directed to file a fresh representation to the respondents, after impleading necessary parties. On such representation being made, the respondents are directed to consider the same, on merits and in accordance with law.

3. Accordingly, the writ petition is disposed of. No costs.

18.11.2016

ogy

To

1. The Tahsildar,
Arani Taluk,
Arani Town and Taluk,
Thiruvannamalai District.
2. The Village Panchayat President,
Irumbedu Hamlet Village,
Pazhangamur Post & Village,
Arani Taluk, Tiruvannamalai District.
3. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
4. The Executive Engineer,
Tamilnadu State Highways,
Cheyyar Town and Taluk,
Thiruvannamalai District.

B.RAJENDRAN, J.

ogy

W.P.No.40540 of 2016

18.11.2016
<http://www.judis.nic.in>