

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2016

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH
and
THE HON'BLE Mr. JUSTICE R.MAHADEVAN

W.P.No.42283 of 2016

Vijayalakshmi .. Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Cuddalore District,
Cuddalore.

2.The Revenue Tahsildar,
Office of the Tahsildar,
Thittakudi Taluk,
Cuddalore District.

3.Rokini ..Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the first respondent to consider the representation of the petitioner dated 15.10.2016 and to remove the encroachment on the pathway by the third respondent herein bearing Survey No.44/1, measuring about 36.2 feet width 1.6 links length and situated at Koothappankudikadu Chavadi Street, Thittakudi Taluk, Cuddalore District.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.T.N.Rajagopalan,
Spl. Govt. Pleader for R1 & R2

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

Seeking a direction to the first respondent to consider the representation of the petitioner dated 15.10.2016 and to remove the encroachment on the pathway by the third respondent herein bearing Survey No.44/1, measuring about 36.2 feet width 1.6 links length and situated at Koothappankudikadu Chavadi Street, Thittakudi Taluk, Cuddalore District, the petitioner has filed the present writ petition.

2.The petitioner submitted a representation dated 15.10.2016 pointing out certain encroachment in the pathway by the third respondent in Survey No.44/1 measuring about 36.2 feet width 1.6 links length and situated at Koothappankudikadu Chavadi Street, Thittakudi Taluk, Cuddalore District. The said representation is yet to be considered and on that allegation, the petitioner is before this Court.

3.We have heard the learned Special Government Pleader, who in turn, submitted that the competent authority to take action is Tahsildar, Thittakudi, to whom, the petitioner has to necessarily make a representation. Accordingly, we permit the petitioner to submit a representation along with a copy of this order to the Tahsildar, Thittakudi, Cuddalore District and on such representation being made, the same shall be considered on merits, after due notice to the third respondent as well as the petitioner. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

4.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

mmi

To

1.The District Collector,
Office of the District Collector,
Cuddalore District,
Cuddalore.

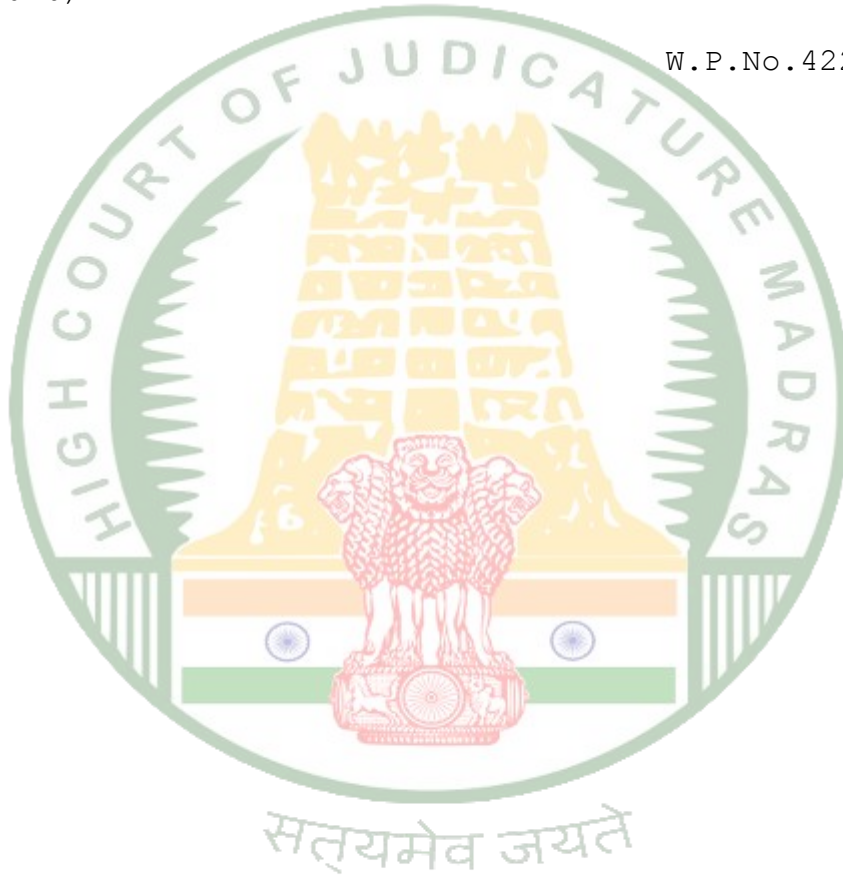
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2.The Revenue Tahsildar,
Office of the Tahsildar,
Thittakudi Taluk,
Cuddalore District.

+1cc to Mr.Velmurugan, Advocate, S.R.No.71554
+1cc to the Government Pleader, High Court, Madras chennai,
S.R.No.70952

PK(CO)
BB(30/12/2016)

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