

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.4935 of 2016
and WMP.No.4281 of 2016

V.G.Loganayagi

.. Petitioner

Vs.

1.The General Manager
Tamil Nadu Co-Op Milk Producers'
Federation Ltd.,
Pachapalayam, Kalamapalayam Post
Coimbatore-10.

2.The District Collector
Coimbatore

3.The Divisional Engineer
Highways Department
CTC Medu, Pollachi Taluk,
Coimbatore District.

4.The Assistant Engineer
Highways Department
Anamalai, Pollachi Taluk,
Coimbatore District.

5.The Tahsildar
Tahsildar Office
Pollachi.

6.Senthil Kumar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondents 1 to 5 herein to consider the petitioner's representation dated 18.01.2016.

For Petitioner : M/s.D.R.Arun Kumar

For respondents: Mr.T.K.Ashok Kumar for R1.

Mr.P.Sanjay Gandhi, AGP for R2 to R5.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the

respondents 1 to 5 herein to consider the petitioner's representation dated 18.01.2016.

3.The petitioner is the absolute owner of the land comprised in S.F.No.56/1A1 and 57/1F measuring to an extent of 3 acres. The petitioner is in possession and enjoyment of the same by putting up structures and renting out in her capacity, the revenue records stands in the name of the petitioner and patta No.592, Angalakurichi Village, Pollachi Taluk, Coimbatore also stands in the name of the petitioner.

4.The petitioner erected structure for non-residential purpose by investing huge amount and let out some portion out of three acres for rent to two different people who are running food outlets. The livelihood of the petitioner solely depends on the income that is derived out of the rents. The 6th respondent herein to the shock and dismay of the petitioner has put up an Aavin booth in front of the two food outlets which completely obstructs the ingress and egress to the said food outlets. If the booth starts its functioning it may cause a lot of inconvenience to the said food outlets obstructing the way and its visibility from the public and thereby causing complete disruption and also cause lot of chaos on the Highways.

5.The petitioner approached the authorities in person and also sent a written representation dated 18.01.2016 to all the respondents individually, the same was not considered. Hence, the petitioner before this Court.

6.Heard the submissions of learned counsel appearing for the petitioner and the learned Additional Government Pleader who accepts notice on behalf of the respondents 2 to 5.

7.This Court, without going into the merits of the same, directs the third respondent to consider the representation of the petitioner dated 18.01.2016 on merits and in accordance with law, within a period of six weeks, after affording opportunity of personal hearing to the petitioner as well as to the necessary parties, if any.

8.The writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is also closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The General Manager
Tamil Nadu Co-Op Milk Producers' Federation Ltd.,
Pachapalayam, Kalamapalayam Post
Coimbatore-10.

2.The District Collector
Coimbatore

3.The Divisional Engineer
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CTC Medu, Pollachi Taluk,
Coimbatore District.

4.The Assistant Engineer
Highways Department
Anamalai, Pollachi Taluk,
Coimbatore District.

5.The Tahsildar
Tahsildar Office
Pollachi.

+1cc to Mr.T.K. Ashok Kumar, Advocate, S.R.No.8884
+1cc to Mr.D.R. Arunkumar, Advocate, S.R.No.8745
+1cc to the Government Pleader, S.R.No.8795

SVI (CO)
EU (23/02/2016)

W.P.No.4935 of 2016.

सत्यमेव जयते

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