

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2016

C O R A M

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.8461 of 2016

M.Raja

[PETITIONER]

Vs

- 1 The District Collector
Vellore District, Vellore.
- 2 The Block Development Officer
Jolarpet, Teacher Nagar,
Thiruppathur, Vellore District.
- 3 Venkatesan
Panchayath President
Nekkunthi Village
Settiyappanoore Post
Vaniyambodi Taluk
Vellore District.
- 4 Anandan
District Councilor
Contractor
Chinna Mottur Village & Post
Vaniyambodi Taluk, Vellore District.
- 5 Sowanthar
Ward Member
Mothakuttai Village
Setiyappanoor Post,
Vaniyambodi Taluk, Vellore District.

[RESPONDENTS]

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st and 2nd respondents to consider petitioner representation dated 28.01.2016 and direct the 4th respondent not to disturb the peaceful possession and enjoyment of petitioner land and removed the un-sized stones which are laying on petitioner land in survey Nos. 182/3, 176/3 from 350 feet length and 20 feet width.

For Petitioner ... Mr.E.K.Kannadasan
For respondents... Mr.RM.Muthukumar -R1 & R2
Additional Govt.Pleader

O R D E R

Heard Mr.E.K.Kannadasan, learned counsel for the petitioner, and Mr.RM.Muthukumar, learned Additional Government Pleader accepting notice for the respondents 1 & 2 and with the consent of the learned counsel appearing on either side, the writ petition is taken up for final disposal, at the admission stage itself.

2.The petitioner's case is that the Panchayat President, the District Councilor and the Ward Members are attempting to form a road in the petitioner's patta land in Survey Nos.182/3 and 176/3 to an extent of 350 ft.length with a width of 20 ft. According to the petitioner, patta has been granted in his name in respect of Survey No.182/3, bearing patta No.683 and the Village Administrative Officer has also certified by certificate dated 26.02.2016, stating that the said land in Survey No.182/3, measuring an extent of 0.10.00 ares is owned by the petitioner. Further, the petitioner would state that in respect of the land in Survey No.176/3, the petitioner is a co-pattadar along with ten others in patta No.1073. With these facts, the petitioner has submitted a representation stating that the respondents 3 to 5 are attempting to form a road in the petitioner's land. Since the representation dated 28.01.2016, submitted to all hierarchy of authorities followed by legal notice dated 23.02.2016, did not evoke any response, the petitioner is before this Court.

3.In the light of the above, without going into the merits of the petitioner's claim, the second respondent is directed to consider the petitioner's representation dated 28.01.2016, verify the full facts and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. Petitioner is also directed to submit one more representation along with the copy of this order as well as the copies of the earlier representations together with documents, he is relying upon and submit the same to the second respondent.

The Writ Petition is disposed of accordingly. No costs.
rpa

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1 The District Collector
Vellore District, Vellore.

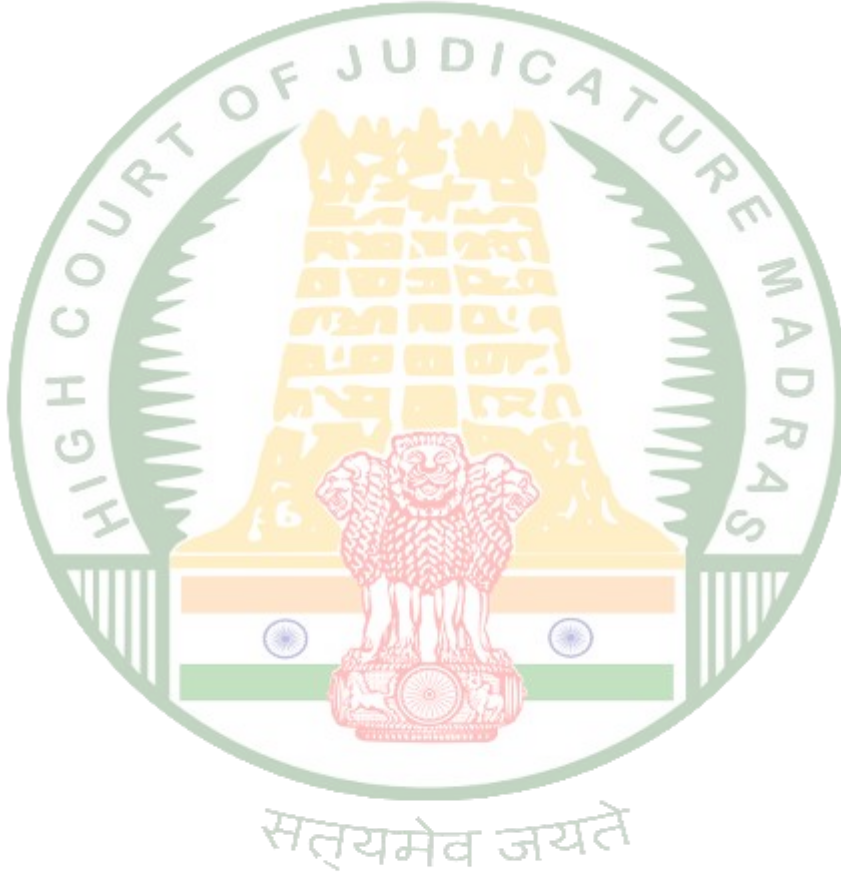
2 The Block Development Officer
Jolarpet, Teacher Nagar,
Thiruppathur, Vellore District.

+ 1 cc to Mr.E.Kannadasan, Advocate, SR 14812

+ 2 cc to Govt.Pleader, High Court, Madras SR 15014 & 14987

cnr(co)
prk9/3

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