



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P.(MD) No.15855 of 2016
and
WMP(MD) No.11624 of 2016

Muthuramu

.. Petitioner

vs.

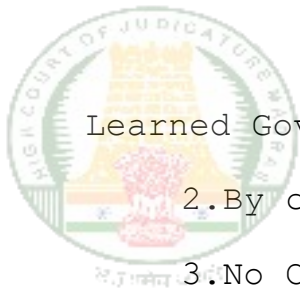
1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Ilayankudi Taluk,
Ilayankudi,
Sivagangai District.
3. The Block Development Officer,
Ilayakudi Union,
Sivagangai District.
4. The President,
Thayamangalam Panchayat,
Ilayankudi Union,
Sivagangai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the First Respondent to dispose of his representation dated 06.06.2016 submitted in person within a time frame as fixed by this Court following the due process of law besides directing the respondents 2 to 4 not to take any coercive steps of eviction and demolition of his bunk shop situated in 2-3/26, Thayamangalam, Ilayankudi Taluk, Sivagangai District.

For Petitioner : Mr.B.Prahalad Ravi
For R1 & R2 : Mr.V.Muruganandam
Additional Government Pleader
For R3 & R4 : Mr.Aayiram K.Selvakumar
Government Advocate

ORDER



Learned Government Advocate for the Respondent Nos.3 and 4.

2.By consent, the writ petition is taken up for final hearing.

3.No Counter affidavit is filed on behalf of the Respondents.

4.According to the Petitioner, his representation, dated 06.06.2016, addressed to the First Respondent in person requesting him to issue necessary directions to Respondent Nos.2 to 4 not to evict and demolish the bunk shop situated in the subject place in question, is still pending and no orders have been passed by the First Respondent till date.

5.It is to be noted that the Petitioner in the writ petition claims that the bunk shop is there for more than 15 years and the same is nearby to Paramakudi and Thayamangalam road. Further, he is paying tax to the bunk shop to the Fourth Respondent till date without any default and Electricity Department had also given Electricity connection and he is paying electricity charges.

6.At this stage, the Learned Government Advocate for the Respondent Nos.3 and 4 submits before this Court that the petitioner's address in the writ petition viz., Door No.2-3/26, is a house, for which, the Petitioner has paid the house tax. However, the Petitioner's bunk is situated in a different place at Survey No.24/2. In the copy of 'A' Register, the Survey No.24/2 is mentioned as Poramboke measuring 038.5 hectares and belongs to one Temple.

7.Be that as it may, considering the fact that the Petitioner's representation, dated 06.06.2016, is pending on the file of the First Respondent till date without any disposal, at this stage, this Court, in the interest of justice and fair play, directs the First Respondent to dispose of the representation of the Petitioner, dated 06.06.2016, within a period of four weeks from the date of receipt of a copy of this order (Ofcourse, after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the Principles of Natural Justice, by issuing notice, if the situation so warrants). The Petitioner is directed to lend his assistance and co-operation, so as to enable the First Respondent to do the needful in the subject matter in issue, within the time as afore stated.

8.With the aforesaid observation(s) and direction(s), the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/



To:

1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Ilayankudi Taluk,
Ilayankudi,
Sivagangai District.
3. The Block Development Officer,
Ilayakudi Union,
Sivagangai District.
4. The President,
Thayamangalam Panchayat,
Ilayankudi Union,
Sivagangai District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 49372

RJ2

TE/SKS-RR : 20/09/2016 : 3P/6C

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WMP (MD) No.11624 of 2016
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