

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.6836 of 2017

G.Manickam

.. Petitioner

Vs.

1.The District Collector,
Villupuram District.

2.The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.

3.The Revenue Tahsildar,
Kallakurichi Taluk,
Villupuram District.

4. Govindan

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing 1 to 3 respondents to remove the encroachment on the common pathway in S.No.385/1 situated at Avvaiyar Street, Thiyyagadurugam Village (Post), Kallakurichi Taluk, Villupuram District by considering the petitioner's representation dated 30.06.2016 in accordance with law.

For Petitioner

: Mr.S.Mohamed Ansar

For Respondents

: Mr.R.Vijayakumar
Addl. Government Pleader
for respondents 1 to 3

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for respondents 1 to 3.

2. The petitioner has filed the writ petition seeking issuance of a writ of mandamus directing respondents 1 to 3 to remove the encroachment on the common pathway in S.No.385/1 situated at Avvaiyar Street, Thiyaadurugam Village, Kallakurichi Taluk by considering the petitioner's representation dated 30.06.2016.

3. It is the case of the petitioner that he and his neighbours are using the common pathway situated in S.No.385/1 to reach their dwelling houses. The fourth respondent has encroached upon the said common pathway and put up construction. Because of the act of the fourth respondent, the petitioner and the neighbours are unable to reach their houses. On 30.6.2016, the petitioner sent a representation to the respondent authorities. Despite receipt of the same, no action has been taken. Hence, the petitioner has filed the writ petition seeking the relief stated supra.

4. The learned Additional Government Pleader appearing for respondents 1 to 3 submits that third respondent is the competent authority to dispose of the representation of the petitioner and the said authority may be directed to dispose of the representation.

5. Considering the narrow scope of the prayer made in the writ petition, we direct the third respondent to dispose of the representation of the petitioner dated 30.06.2016 on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To:

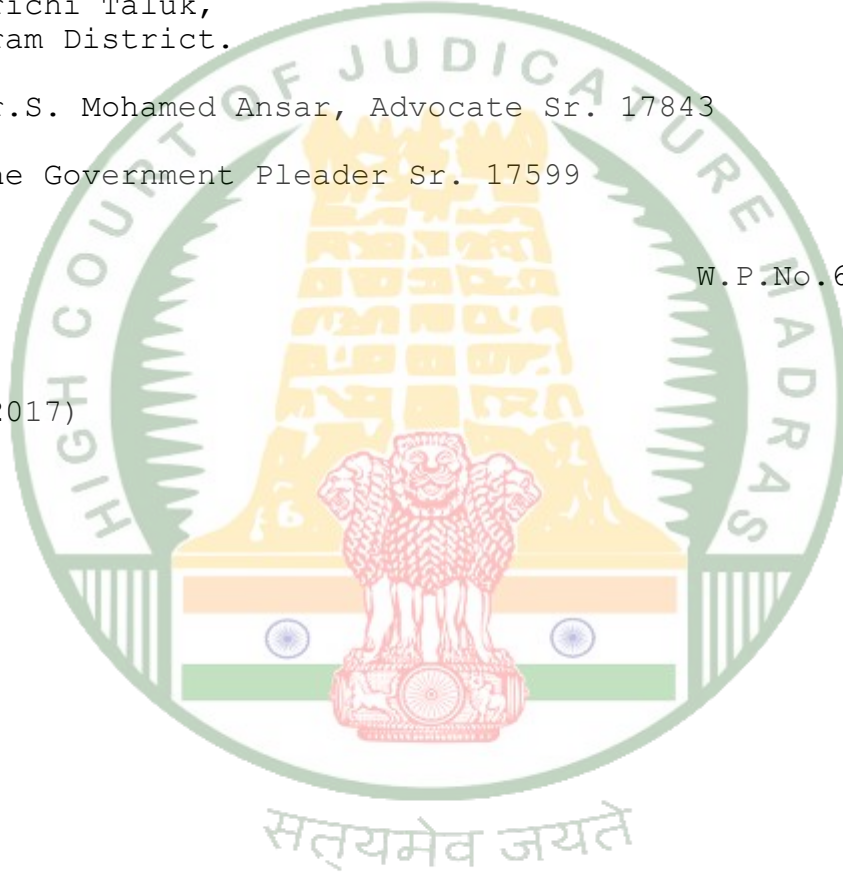
- 1.The District Collector,
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- 2.The Revenue Divisional Officer,
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- 3.The Revenue Tahsildar,
Kallakurichi Taluk,
Villupuram District.

+1cc to Mr.S. Mohamed Ansar, Advocate Sr. 17843

+1cc to the Government Pleader Sr. 17599

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KK (CO)
VR(06/04/2017)



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