

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.32321 of 2017
and W.M.P.No.35585 of 2017

1. K. Settu
2. V.Jayamoorthy
3. G.Singaram
4. R.Ravi

..Petitioners

Vs.

1. The District Collector,
Villupuram District,
Villupuram.
2. The Revenue Divisional Officer,
Thirukoilur Sub-Division,
Villupuram District.
3. The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.

..Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 1st respondent to consider the petitioners representation dated 27.11.2017 and to take appropriate action against the 2nd respondent in accordance with law expeditiously within a time frame as fixed by this Court.

For Petitioners : Mr.H.Rajesh

For Respondents : Mr.P.V.Selvakumar
Additional Government Pleader

O R D E R

Mr.P.V.Selvakumar, learned Additional Government Pleader, takes notice for the respondent. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. This writ petition is filed seeking for a direction to

the first respondent to consider the petitioners representation dated 27.11.2017, wherein and whereby, they sought for quashing the summons issued by the second respondent dated 15.11.2017 and also to take action against the second respondent for issuing such summons.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. It is seen that the second respondent has issued the notice dated 15.11.2017 to the petitioners to appear for an enquiry on 24.11.2017 on an allegation that the petitioners vehicles were indulging in transporting sand illegally. It is the case of the petitioners that those vehicles were already released by the Judicial Magistrate, Thirukoilur, by an order dated 23.02.2017. The grievance of the petitioners before this Court is that the second respondent in the said notice also directed the petitioners to appear for enquiry with their respective vehicles which are already released by the Judicial Magistrate, Thirukoilur. Therefore, it is contended by the learned counsel for the petitioners that the petitioners would participate in the enquiry, however, without production of the vehicles as directed by the second respondent, in view of the order passed by the Judicial Magistrate, Thirukoilur.

5. Considering the above stated facts and circumstances and the order passed by the Judicial Magistrate, Thirukoilur, this Court is of the view that the petitioners could appear before the second respondent and participate in the enquiry, however, without producing the vehicles which are already released by the Judicial Magistrate, Thirukoilur. However, this Court is not inclined to issue any direction to the first respondent to consider the representation of the petitioners as the said representation is filed to quash the very notice issued by the second respondent dated 15.11.2017. Needless to say that the petitioners should participate in the enquiry and allow the second respondent to pass the final order. Since this Court has clarified that the petitioners should appear before the second respondent without producing the vehicles in question, this Writ Petition is disposed of by directing the second respondent to conduct the enquiry and pass final orders on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Revenue Divisional Officer,
Thirukoilur Sub-Division,
Villupuram District.
3. The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.

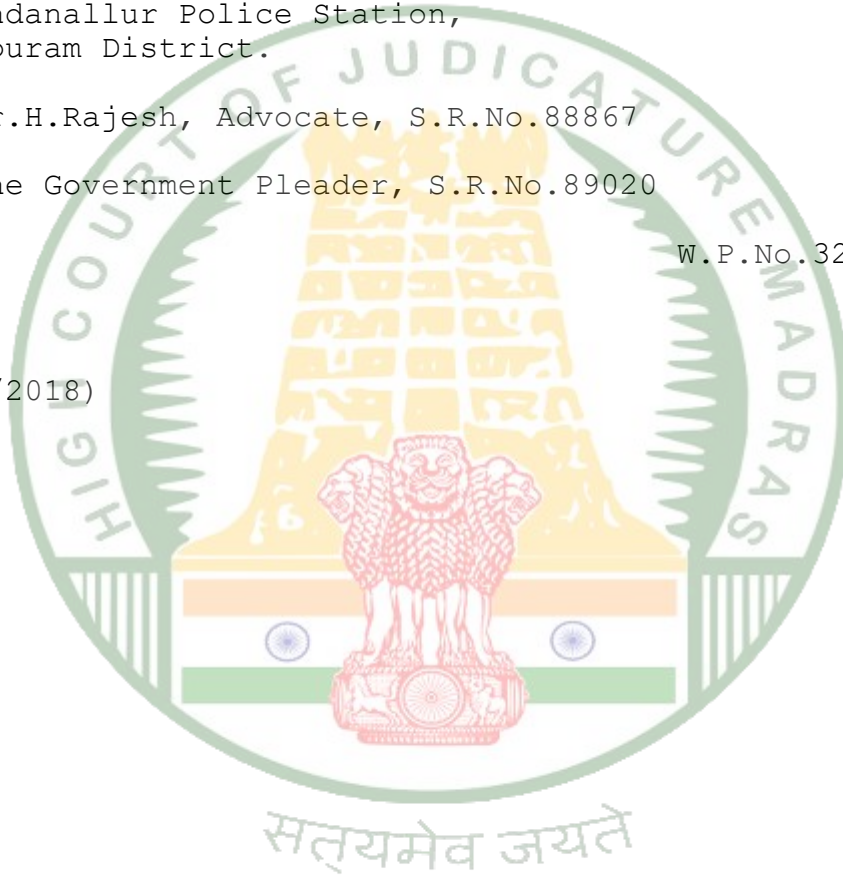
+1cc to Mr.H.Rajesh, Advocate, S.R.No.88867

+1cc to the Government Pleader, S.R.No.89020

W.P.No.32321 of 2017

VGI (CO)

RRK (05/01/2018)



WEB COPY