

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:15.12.2017
CORAM
THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI
WP No.32707/2017

S.Arumugam .. Petitioner

Vs

- 1.The Revenue Divisional Officer
RDO Office, Udumalpet,
Tiruppur District.
- 2.The Tahsildar
Taluk Office, Udumalpet
Tiruppur District.
- 3.Selvaraj
- 4.Lokesh
- 5.Murugan @ Kanniyar .. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 2nd respondent to remove the encroachments made by the respondents 3 to 5 within a fixed time frame by considering the petitioner's representation dated 24.07.2017.

For petitioner : Mr.D.R.Arunkumar
For R1&R2 : Mr.M.Digvijaya Pandian, AGP

ORDER

[Order of the Court was delivered by M.SATHYANARAYANAN, J.]

By consent, the writ petition is taken up for final disposal. Mr.M.Digvijaya Pandian, learned Additional Government Pleader accepts notice on behalf of the respondents 1 and 2.

2 The petitioner is a retired Government servant and according to him, he is a resident of Door No.2/31, Kulalalar Street, Bodipatti, Udumalpet Taluk, Tiruppur District and there is a main road connecting the said place. It is the specific case of the petitioner that the respondents 3 to 5 had encroached upon more than 10 feet across the street, thereby, denying the free ingress and egress to his premises. In this regard, the petitioner has submitted a representation dated 24.07.2017 to the 2nd respondent in person and despite receipt and acknowledgment, no orders have been passed so far and hence, came forward to file the present writ petition.

3 The Court heard the submissions of the learned counsel for the petitioner and Mr.M.Digvijaya Pandian, learned Additional Government Pleader appearing for the respondents 1 and 2 and perused the materials placed before it.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit a detailed representation to the 2nd respondent along with a copy of this order and also enclosing the relevant and authenticated documents as to his claim within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same, the 2nd respondent, with the help of the jurisdictional Surveyor shall cause inspection, after putting the petitioner as well as the respondents 3 to 5 and depending upon the result of the same, the 2nd respondent shall take appropriate action in accordance with law within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the respondents 3 to 5 herein.

5 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The Revenue Divisional Officer
RDO Office, Udumalpet, Tiruppur District.

2.The Tahsildar
Taluk Office, Udumalpet, Tiruppur District.

+lcc to Mr.D.R.Arun Kumar, Advocate sR.No.89830

+lcc to Government Pleader SR.No.89952

sm:8.1.2018

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