

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.06.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN  
AND  
THE HONOURABLE MR. JUSTICE M.SUNDAR

W.P.No.15878/2017

Ulaganathan

.. Petitioner

Vs

1. The District Collector,  
Salem.

2. The District Sub Collector,  
Salem.

3. The Tahsildar,  
Omalur, Salem.

4. The Managing Director,  
Salem Aavin Milk Deport,  
Omalur Taluk, Salem District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondents 1 to 4 to consider the representation of the petitioner dated 12.05.2017 in accordance with law.

For Petitioner : Mr.G.Surya Narayanan

For R1 to R3 : Mr.R.Vijayakumar, Additional  
Government Pleader

For R4 : T.K.Ashok kumar

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ORDER

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

By consent, the writ petition is taken up for final disposal at the admission stage itself. MR.R.Vijayakumar, Additional Government Pleader, Additional Government Pleader accepts notice on behalf of the Respondents 1 to 3 and Mr. T.K.Ashok Kumar, learned counsel accepts notice for 4<sup>th</sup> respondent.

2. The petitioner seems to be an agriculturist owning several lands in Peramachur Village, Omalur Taluk, Salem District and would aver among other things that in the said village, there is a poromboke land in Survey No.235 admeasuring to an extent of 1 acre and 5 cents, 40 cents in Survey No.250 and the place called "Tholkaradu" 75 cents are located and the Government Authorities had allowed the villagers to use the above said lands as pathway and the jurisdictional Village Administrative Officer had also issued a Certificate that the villagers are using the said pathway for several years.

3. The grievance / apprehension expressed by the petitioner is that the said land has been identified for location of the Milk Society and a Cooling Plant is likely to be located and in that event, the user of pathway will be blocked and thereby putting the villagers to great difficulty and hardship. In this regard, the petitioner submitted a representation dated 07.04.2017 to the 2<sup>nd</sup> respondent and the 2<sup>nd</sup> respondent had sent a Memo dated 24.04.2017 in O.Mu. No.755/2017-C to the 3<sup>rd</sup> respondent to take appropriate action and inform the same to the petitioner. Since the petitioner has not been favoured with any kind of response, he submitted one more representation dated 12.05.2017 to the respondents as well as to the Managing Director, Aavin Milk Depot, Salem and in spite of receipt and acknowledgment, he is yet to be favoured with any kind of response and hence, came forward to file the present writ petition.

4. Heard the submissions of Mr.G.Surya Narayan, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents 1 and 2 and Mr.T.Ashok Kumar, learned Standing Counsel appearing for the 3<sup>rd</sup> respondent.

5. This Court taking into consideration, the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the respondents 3 and 4 to consider and dispose of the petitioner's representation dated

12.05.2017 on merits and in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

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Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

RKA

To

1. The District Collector,  
Salem.
2. The District Sub Collector,  
Salem.
3. The Tahsildar, Omalur,  
Salem.
4. The Managing Director,  
Salem Aavin Milk Deport,  
Omalur Taluk, Salem District.

+lcc to Mr.G.Surya Narayanan, Advocate, S.R.No.44411  
+lcc to T.K.Ashok kumar, Advocate, S.R.No.44460  
+lcc to the Government Pleader, S.R.No. 44428

WP.No.15878/2017

CS/10/07/17

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