

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.25958 of 2017

P.Jagadeeswaran

.. Petitioner

Vs.

1. The District Collector,
Erode.

2. The Revenue Divisional Officer,
Erode.

3. The Revenue Tashildar,
Erode.

4. The Zonal Deputy Tashildar III,
Erode.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to inspect the premises at T.S.No.150 where the two trees are planted and conduct enquiry and take appropriate action for cutting and removing the said two trees within the time limit stipulated by this Court.

For Petitioner : Mr.S.Rajeni Ramadass

For Respondents : Mr.A.Kumar,
Special Government Pleader.

O R D E R

Mr.A.Kumar, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. Heard both sides.

3. The petitioner seeks for a Mandamus to direct the respondents to inspect the premises at T.S.No.150 and to remove the two trees standing adjacent to the petitioner's property.

4. The grievance of the petitioner is that those two trees are causing threat to the petitioner's building and therefore, they have to be removed. It is stated that the representation made by the petitioner as early as in the year 2012 has not been considered so far. It is further stated that the 2nd respondent has already issued a direction to the 3rd and 4th respondents to take action and however, they have not taken action so far.

5. This Court, at this stage, is not inclined to express any view on the merits of the claim made by the petitioner as it is for the concerned authorities, namely 3rd and 4th respondents, to inspect the property and take action accordingly. Thus, this writ petition is disposed of only by directing the 3rd and 4th respondents to inspect the subject matter property and take action accordingly without loss of further time as it is stated that the petitioner's request was made as early as in the year 2012. Such exercise shall be done by the 3rd and 4th respondents within a period of two weeks from the date of receipt of a copy of this order. Accordingly, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

vsi

To

1. The District Collector,
Erode.
2. The Revenue Divisional Officer,
Erode.
3. The Revenue Tashildar,
Erode.
4. The Zonal Deputy Tashildar III,
Erode.

1 cc to Government Pleader, Sr. 71926

1 cc to Mr. Rajani Ramadoss, Advocate, Sr. 71438

W.P.No.25958 of 2017

SJ CO)
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