

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.11.2017
CORAM
THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR.JUSTICE N.SESHASAYEE
WP.No.29770/2017

A.Venkadachalam

... Petitioner

vs

- 1.The District Collector
Collectorate, Salem District,
- 2.The District Revenue Officer
Collectorate, Salem District.
- 3.The Revenue Divisional Officer
Attur Taluk & Post, Salem District.
- 4.The Tahsildar
Attur Taluk & Post, Salem District.
- 5.P.Thiru Murugan

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 to 4 herein to consider the representation dated 04.04.2017 and 24.08.2017 submitted by the petitioner in the light of G.O.Ms.No.540 Revenue [LD.6[2]] Department dated 04.12.2014 and to remove the temple encroachment in S.No.6 which is situated in Kattukottai Village, Attur Taluk, Salem District, within a time frame as may be fixed by this Court.

For Petitioner : Mr.A.Rajakumar

For R1 to R4 : Mrs.M.E.Rani Selvam, AGP

ORDER

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

By consent, the writ petition is taken up for final disposal. Mrs.M.E.Rani Selvam, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 4.

2 The petitioner would state that his father owned agricultural lands admeasuring to an extent of 03.15 acres in S.No.67/1, situate in Kattukottai Village, Attur Taluk, Salem District, through a registered Sale Deed bearing Doc.No.1095/1973 dated 20.09.1973. The petitioner would further claim that adjacent to the said land, there is a water course in S.No.6 and the water flowing through the said course, is being utilised for irrigating the above said lands as well as the lands owned by the other agriculturists. The grievance expressed by the petitioner is that the 5th respondent had put up a religious structure without any permission or authorisation and in this regard, a representation dated 04.04.2017 followed by a reminder representation dated 24.08.2017 were submitted by the petitioner to the official respondents and despite receipt and acknowledgment, no action has been taken so far to address the grievance expressed by the petitioner and hence, left with no other option, the petitioner is constrained to approach this Court by filing the present writ petition.

3 Heard the learned counsel for the petitioner and Mrs.M.E.Rani Selvam, learned Additional Government Pleader appearing for the respondents 1 to 4 and also perused the materials placed before it.

4 Though the petitioner had 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, directs the 4th respondent to put the petitioner as well as the 5th respondent on notice and thereafter, consider and dispose of the petitioner's representations dated 04.04.2017 and 24.08.2017 respectively on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the 5th respondent herein.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP

To

1.The District Collector
Collectorate, Salem District,

2.The District Revenue Officer
Collectorate, Salem District.

3.The Revenue Divisional Officer
Attur Taluk & Post, Salem District.

4.The Tahsildar
Attur Taluk & Post, Salem District.

+1 cc to Mr.A.Rajakumar Advocate sr 82309

+1 cc to Government Pleader sr 82905

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