

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2017

CORAM :

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.25444 of 2016
and WMP.No.21769 of 2016

H.Umalrasiyaa ... Petitioner
vs.

1. Executive Officer
Selection Grade Town Panchayat,
Kuthalam - 609 801.
Nagapattinam District.
2. K.Ganesan
3. Baskaran
4. T.Balasubramanian
5. R.Kannaiyan
6. Bazil Rahman
7. Haja Najupudin ... Respondents

(R4 to R7 are suo motu impleaded as
per order, dated 09.09.2016 by
NKKJ in W.P.No.25444 of 2016)

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus, directing the first respondent to take appropriate action on the petitioner's representation dated 14.07.2016 and retain / maintain the 23 feet road situated on the western side of Plot Nos.37,38 and 39 at Survey No.93/2 Kuthalam Village, Mayiladuthurai Taluk, Nagapattinam District as per first respondent approved layout plan MAVA / Na.00.Tho.E / (The.Ma) No.13/2003.

For petitioner : Mr.R.Marudhachalamurthy

For respondents : Mr.V.Jayaprakash Narayanan for R1
Mr.B.Raveendran for R2 and R3

O R D E R

The petitioner claiming to be the owner of land covered in S.No.93/1 and 93/2 which has been approved by the first respondent has given a representation to the first respondent to take action against the encroachers, namely respondents 2 and 3, as they have no legal right to encroach into the property. Since no action has been taken on the said representation, the petitioner has come forward with this writ petition, seeking a relief that appropriate action should be taken by the first respondent on the basis of the representation of the petitioner, dated 14.07.2016.

2. Learned counsel appearing for the respondents 2 and 3 has no objection in directing the first respondent to dispose of the representation of the petitioner on merits.

3. Therefore, without going into the merits of the matter, the first respondent is directed to consider the pending representation of the petitioner, dated 14.07.2016 in the light of the approved layout, within a period of four weeks from the date of receipt of a copy of this order.

4. In view of the above, this writ petition is disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The Executive Officer
Selection Grade Town Panchayat,
Kuthalam - 609 801.
Nagapattinam District.

+1cc to Mr.R. Marudhachalamurthy, Advocate, S.R.No.1041
+1cc to Mr.V. Jayaprakash Narayanan, Advocate, S.R.No.609
+1cc to Mr. B. Raveendran, Advocate Sr.No.970

vsn(CO)
md(19/01/2017)

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