



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **03.02.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**

and

THE HONOURABLE MR.JUSTICE **P.KALAIYARASAN**

W.P (MD) No.1915 of 2017

Shashi Maloney

.. Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Commissioner,
Kodaikanal Municipality,
Kodaikanal.

3.The Tahsildhar,
Kodaikanal Taluk,
Kodaikanal.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 15.12.2016 and to take action to stop the nuisance of the said encroachers and to restrain unlawful encroachment into the private road of the petitioner.

For Petitioner : M/s.S.Jenifer Evangelin Veroni

For Respondents 1 and 3: Mr.D.Muruganantham,
Additional Government Pleader.

For Respondent No.2 : Mr.T.S.Mohammed Mohideen

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents to consider the representation of the petitioner dated 15.12.2016 and also for giving necessary direction to take appropriate steps, by way of issuing a writ of mandamus.



2.It is averred in the petition that the petitioner is a resident of Maloney Kudi, Kodaikanal. Further it is averred in the petition that with regard to encroachers, a representation has been given on 15.12.2016 to the concerned authorities, but the same has not been considered. Under the said circumstances, the present writ petition has been filed.

3.Mr.D.Muruganandam, learned Additional Government Pleader, has taken notice for the respondents 1 and 3 and Mr.T.S.Mohammed Mohideen, learned counsel, has taken notice for the second respondent.

4.It is seen from the records that on 15.12.2016 a representation has been given to the respondents 1 to 3 and the same has not been considered.

5.Considering the aforesaid factual circumstances, the respondents 1 and 3 can be directed to look into the representation dated 15.12.2016 as indicated below.

6.In fine, this writ petition is allowed without costs and the respondents 1 and 3 are directed to look into the representation dated 15.12.2016 and dispose of the same within a period of ten days.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The District Collector, Dindigul District, Dindigul.

2.The Commissioner,
Kodaikanal Municipality, Kodaikanal.

3.The Tahsildhar,
Kodaikanal Taluk, Kodaikanal.

+1 cc to The Special Government Pleader in SR.No.6288

+1 cc to M/s.T.S.Mohammed Mohideen, Advocate in SR.No.6094

+2 cc's to M/s.S.Jenifer Evangelin Veronica, Advocate

in SR.No.5959

smn

CSL/SKN/SAR-III/06.02.2017:2P/8C