



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.20356 of 2017

M.Habeeb Rahman

... Petitioner

Vs.

1.The District Collector
Ramanathapuram District,
Ramanathapuram

2.The Deputy Director of Panchayats,
Ramanathapuram

3.Block Development Officer,
Paramakudi,
Ramanathapuram District.

4.The Executive Authority,
Keelaparthipanur Panchayath,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to remove the temporary shed, garbage and firewood collected and stored in petitioner's Ayan Nanjai properties in S.Nos.137/1A1, 137/1A2 & 137/1C in Keelaparthipanur Village, Paramakudi Taluk, Ramanathapuram District.

For Petitioner

: Mr.A.Arumugam

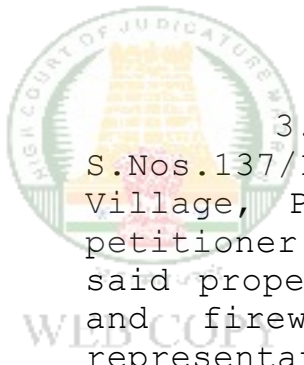
For Respondents

: Mr.T.S.Mohamed Mohideen,

Additional Government Pleader

ORDER

By consent, this writ petition itself is taken up for final disposal.



3. The case of the petitioner is that the properties in S.Nos.137/1A1, 137/1A2 and 137/1C situated at Keelaparthipanur Village, Paramakudi Taluk, Ramanthapuram District belong to the petitioner. The grievance of the petitioner is that in the above said properties, the fourth respondent has been dumping garbages and firewoods. Hence, the petitioner has submitted his representation dated 20.01.2017 to the 2nd respondent, who in turn forwarded the same to the fourth respondent. Thereafter, since there was no action taken on the representation to redress his grievance, the petitioner is before this Court with the aforesaid relief.

4. The learned Additional Government Pleader appearing for the respondents submitted that the third respondent is the competent authority to inspect the property and hence, the third respondent may be directed to inspect the above said property and file a report before the concerned Tahsildar for taking appropriate action. However, the concerned Tahsildar has not been arrayed as a party respondent in this writ petition.

5. In view of the above, this Writ petition is disposed of, directing the third respondent to inspect the above said property and file a report before the first respondent /District Collector, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same the District Collector / first respondent shall forward the same to the concerned Tahsildar for taking appropriate action on the matter by the concerned Tahsildar, within a period of four weeks, thereafter, after affording an opportunity of hearing to the petitioner as well as other interested parties, if any. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector
Ramanathapuram District,
Ramanathapuram
- 2.The Deputy Director of Panchayats,
Ramanathapuram
- 3.The District Development Officer,
Paramakudi,
Ramanathapuram District.



4.The Executive Authority,
Keelaparthipanur Panchayath,
Ramanathapuram District.

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+1 CC to M/s.SPECIAL GOVERNMENT PLEADER, Advocate, SR No.89634
+1 CC to M/s.A.ARUMUGAM, Advocate, SR No.89216

rm

JS/KP/:SAR4:08/12/2017/3P/7C

W.P(MD)No.20356 of 2017

23.11.2017