



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.2885 of 2017

Kumaresan .. Petitioner
Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

3.Samuel .. 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 respondents 1 and 2 to consider the petitioner's representation dated 19.12.2016 within the time frame as may be fixed by this Court.

For Petitioner : Mr.M.Ramu

For Respondents 1 and 2 : Mr.D.Muruganandam,
Additional Government Pleader.

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 1 and 2 to consider the representation dated 19.12.2016, by way of issuing a writ of mandamus.

2.Mr.D.Muruganandam, learned Additional Government Pleader, has taken notice for the respondents 1 and 2.

3.The learned counsel appearing for the petitioner has contended that in the property of the third respondent a pathway has been in existence. Now the third respondent has put up construction so as to restrain the users. Under the said circumstances, a representation has been given on 19.12.2016. But the respondents 1 and 2 have not considered the same and therefore the present writ



petition has been filed.

4. On the basis of representation made on the side of the petitioner, it is learnt to the effect that the petitioner has given such kind of representation only in respect of rights over the property of the third respondent. Since the representation has been given for such right, the present writ petition is not legally maintainable and therefore the same is liable to be dismissed.

5. In fine, this writ petition is dismissed without costs. However the petitioner is at liberty to work out his remedy through civil forum.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District, Dindigul.

2. The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

+1cc to Mr. M. Ramu, Advocate SR.No.9527

+1cc to special Government Pleader SR.No.9669

smn

sm:CM-MSA:1.3.2017:2P/5C

ORDER MADE IN
W.P (MD) No.2885 of 2017
21.02.2017