

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 23.10.2018
CORAM:
THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
W.P. No.26588 of 2012 &
M.P.No.1 of 2012

V.Muthan

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Tiruchengode, Namakkal District.

2.The Tahsildar,
Tiruchengode Taluk, Tiruchengode,
Namakkal District.

3.The Revenue Inspector,
Sirumolasi Village, Tiruchengode Taluk,
Namakkal District.

4.The Village Administrative Officer,
Sirumolasi Village, Tiruchengode Taluk,
Namakkal District.

5.The President,
Sirumolasi Village Panchayat,
Sirumolasi, Tiruchengode Taluk,
Namakkal District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to forbear the respondents from interfering with the construction of the building in the petitioner's patta land situated in S.Nos.14/6 and 7/9 at Athipalayam, Sirumolasi Village, Tiruchengode Taluk, Namakkal District without passing any written order.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.K.S.Suresh

Government Advocate for R1 to R4

No appearance for R5

O R D E R

Heard Mr.C.Prakasam, learned counsel for the petitioner; Mr.K.S.Suresh, learned Government Advocate for the respondents 1 to 4 and perused the materials available on record.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, forbearing the respondents from interfering with the

construction of the building in the petitioner's patta land in S.Nos.14/6 and 7/9 at Athipalayam, Sirumolasi Village, Tiruchengode Taluk, Namakkal District.

3. The case of the petitioner is that the land measuring an extent of 13 cents in Survey Nos.14/6 and 7/9 at Athipalayam has been in occupation of the petitioner and his forefathers for more than 3 decades. The grievance of the petitioner is that when he attempted to put up a construction in his land, the respondents without assigning any reason prevented him from putting up construction. The present Writ petition has been filed based on the representation dated 11.09.2012.

4. The learned Government Advocate for the respondents 1 to 4 would submit that if the petitioner is now having any grievance after lapse of six years, a liberty may be given to him to make a fresh representation, the same would be considered in accordance with law by the first respondent.

5. In the light of the above fact and the submission of the learned Government Advocate, this Writ Petition is disposed of, giving liberty to the petitioner to make a fresh representation to the first respondent by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the first respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties within a period of eight weeks there from. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

r n s

To

1.The Revenue Divisional Officer,
Tiruchengode, Namakkal District.

2.The Tahsildar,
Tiruchengode Taluk, Tiruchengode,
Namakkal District.

3.The Revenue Inspector,
Sirumolasi Village, Tiruchengode Taluk,
Namakkal District.

4.The Village Administrative Officer,
Sirumolasi Village, Tiruchengode Taluk,
Namakkal District.

+1cc to M/s.Government Pleader SR.NO.72407
+1cc to Mr.C.Prakasam, Advocate SR.NO.72342

SJ(CO)
sm:19.11.2018

W.P. No.26588 of 2012 &
M.P.No.1 of 2012