

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.02.2018

C O R A M

THE HON'BLE Mr.JUSTICE K. RAVICHANDRABAABU

W.P.No.2691 of 2018

and

WMP No.3335 of 2018

M.Murugesan

...Petitioner

vs

1.The Competent Authority/
District Revenue Officer,
Collectorate,
Erode-638 011.

2.The Deputy Superintendent of Police,
Economic Offences Wing II,
Erode Unit,
Erode District.

...Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondents to vacate and surrender vacant possession of the agricultural lands measuring an extent of 3.61 1/2 acres comprised in R.S.No.490/1 (Old S.No.5) Perundurai Village, Erode District after settling the arrears of rent and electricity consumption charges from November 2013 by considering the petitioner's representations dated 11.11.2016, 15.05.2017 and 26.09.2017.

For petitioner : Mr.N.Manokaran

For Respondents : Mr.B.Anandan

Government Advocate

O R D E R

Mr.B.Anandan, learned Government Advocate takes notice for the respondents. By consent, the writ petition is taken for final disposal at the stage of admission itself.

2. The petitioner seeks for a mandamus directing the respondents to vacate and surrender vacant possession of the agricultural lands measuring an extent of 3.61 1/2 acres comprised in R.S.No.490/1 (Old S.No.5) Perundurai Village, Erode District after settling the arrears of rent and electricity consumption charges from November 2013 by considering his

representations dated 11.11.2016, 15.05.2017 and 26.09.2017.

3.The case of the petitioner is as follows:

The petitioner is the owner of the property comprised in R.S.No.490/1 (Old S.No.5), Perundurai Village, Erode District. The said property was given on rent to one Susi Emu Farms. The second respondent registered a case against the owners of the said Emu Farms and after completion of the investigation, filed final report against the accused persons. Pending investigation, the respondents have not taken any steps to relocate the two wheelers, four wheelers and other movables of the accused person, which are available in the petitioner's lands. In the result, the vehicles and other materials are simply kept in the petitioner's land without any safety and utility. Therefore, the petitioner requested the respondents either to remove the materials and surrender the possession or pay rent, since the tenant under the petitioner viz., owners of the Emu Farms were arrested and their movable and immovable properties were also seized and attached under Section 3 of the TNPID Act, 1997 by the Government on the basis of a report submitted by the first respondent, who is the competent Authority under the above said enactment. The repeated request made by the petitioner to the above effect has not been considered so far. Therefore, the present writ petition is filed before this Court.

4.The learned Government Advocate appearing for the respondents submitted that the request of the petitioner will be considered and appropriate orders will be passed on merits and in accordance with law.

5.Considering the above stated facts and circumstances, this writ petition is disposed of, by directing the respondents to consider the grievance of the petitioner and pass appropriate orders on the same within a period of four weeks from the date of receipt of a copy of this order. No costs. The connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

vri

To

1.The Competent Authority/
District Revenue Officer,
Collectorate,
Erode-638 011.

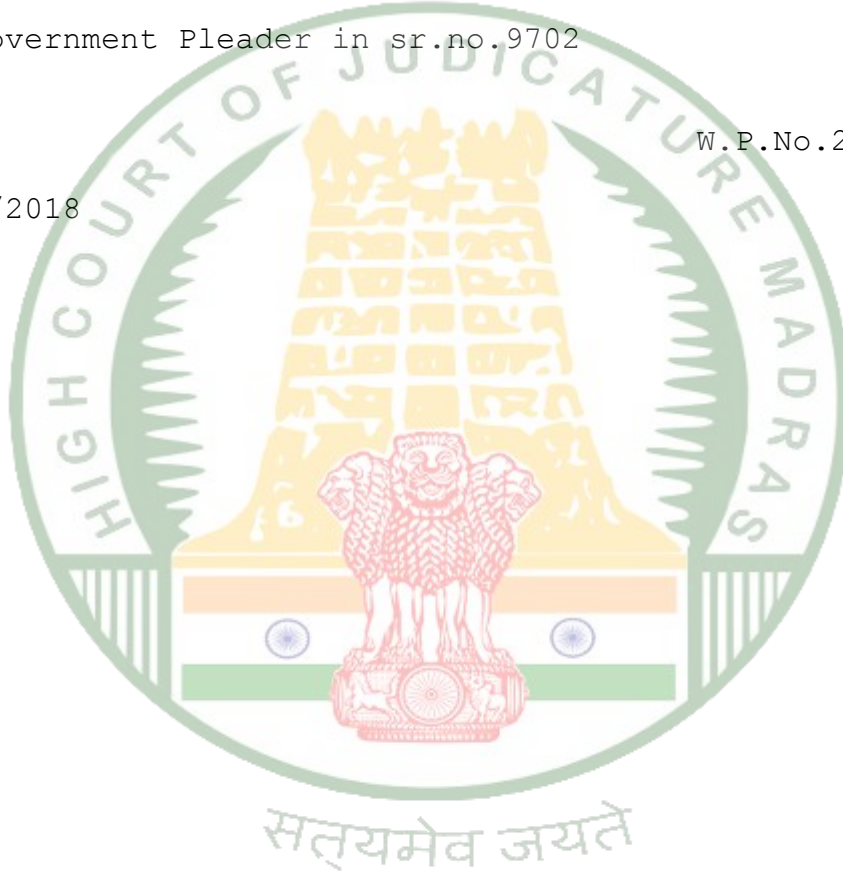
2.The Deputy Superintendent of Police,
Economic Offences Wing II,
Erode Unit,
Erode District.

+1cc to Mr.N.Manokaran,advocate, in sr.no.9569

+1cc to Government Pleader in sr.no.9702

W.P.No.2691 of 2018

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