

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.13426 of 2018
and WMP.No.15820 of 2018

P.S.Syed Ali

..Petitioner

Vs

1. The District Collector,
Krishnagiri.
2. The Sub-Collector,
Hosur.
3. The Assistant Director Panchayat
Krishnagiri.
4. The Block Development Officer,
Panchayat Union Soolagiri,
Hosur.

..Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to forebear the respondents from putting up any construction in S.No.127, Soolagiri, Hosur Taluk, for the purpose of locating public convenience.

For Petitioner : Mr.V.Raghavachari
For Respondents : Mr.V.Shanmuga Sundar
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to forebear the respondents from putting up any construction in S.No.127, Soolagiri, Hosur Taluk, for the purpose of locating public convenience.

2. Heard Mr.V.Raghavachari, learned Counsel for the petitioner and Mr.V.Shanmuga Sundar, learned Special Government Pleader appearing for the respondents. By consent of the learned counsel appearing for the parties, the writ petition is taken up for final hearing.

3. The case of the petitioner is that land measuring an extent of 0.78.0 hectares in Survey No.126 belongs to him and a National Highways runs on the southern side of this property. While so, the local body without any need or necessity had chosen to identify that place for public convenience. Hence, he gave a representation to the 3rd respondent on 16.03.2018. Based on the said representation, the Assistant Director of Panchayat, Krishnagiri, directed the third respondent to take appropriate action. Despite the same, the 3rd respondent has now proceeded with the construction. Hence the present writ petition.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the third respondent to dispose of the representation of the petitioner.

5. The learned Special Government on instructions submitted that the third respondent is ready to dispose of the representation in accordance with law.

6. In the light of the above submissions and considering the facts of the case, the petitioner is directed to appear before the third respondent on 19.06.2018 and the third respondent after hearing the petitioner shall dispose of his representation on or before 26.06.2018, on merits in accordance with law. It is needless to mention that the petitioner shall co-operate for earlier disposal of the representation.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

msrm

To

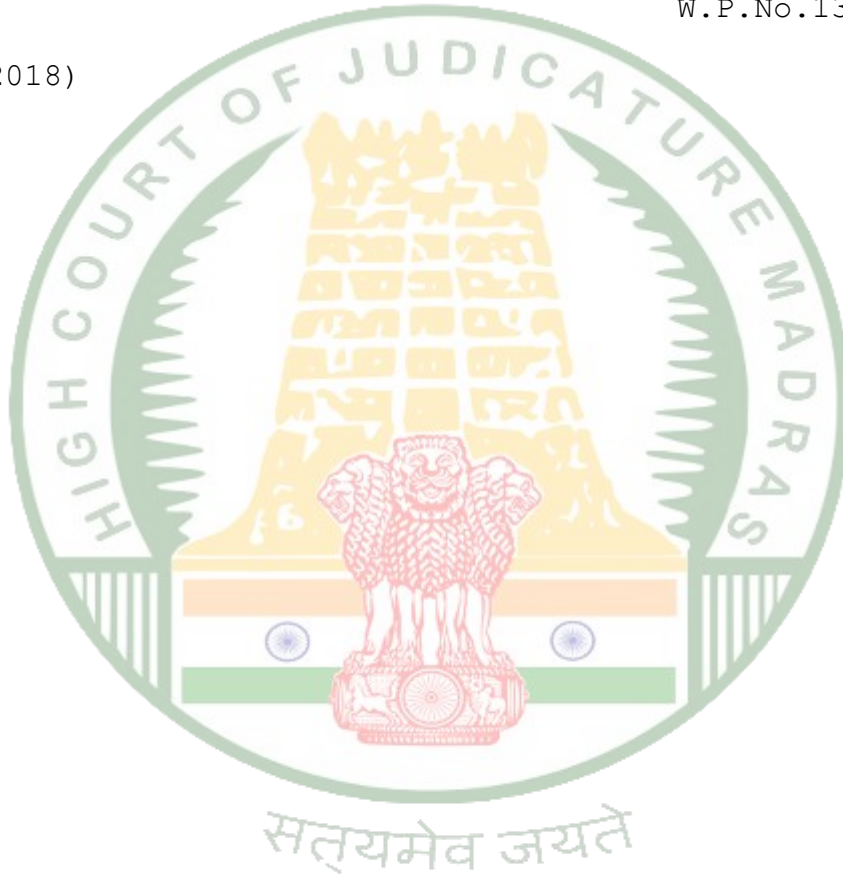
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3. The Assistant Director Panchayat
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4. The Block Development Officer,
Panchayat Union Soolagiri,
Hosur.

+1 CC to Mr.V.Raghavachari, Advocate sr 37375
+1 CC to Govt. Pleader sr 37862.

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SP(19/06/2018)



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