

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.17473 of 2018

A.Periyasamy

.. Petitioner

-vs-

1.The District Collector,
Office of the District Collectorate,
Perambalur District.

2.The Executive Officer/
Block Development Officer,
Veppanthattai Panchayat Union,
Veppanthattai Taluk,
Perambalur District.

3.Dhanalakshmi

4.C.Asokan

5.C.Arjunan

6.C.Ayyasamy

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to consider the representation dated 14.05.2018 of the petitioner and to pass further suitable orders taking note of the judgment and decree dated 19.07.2002 passed in O.S. No.167 of 1999 on the file of the District Munsif Court, Perambalur.

For Petitioner :: Mr.V.Manoharan

For Respondents :: Mr.I.Sathish,
Additional Government Pleader
for R1

Ms.M.Lalitha,
Government Advocate for R2

ORDER

The petitioner has come to this Court seeking a direction to the respondent to consider his representation dated 14.05.2018 and to pass further orders taking note of the judgment and decree dated 19.07.2002 passed in O.S. No.167 of 1999 on the file of the District Munsif Court, Perambalur.

2.The case of the petitioner is that he has been carrying on agricultural activities in his land comprised in Survey No.175/2 measuring to an extent of 2.02.5 hectares and he has obtained patta in respect of the said land and paying necessary taxes and charges to the authorities concerned. According to him, the land over which the cart track situate is belonged to one Dhanalakshmi. As the above said Dhanalakshmi and others have prevented the petitioner and others from using the cart track, they have filed a Suit in O.S. No.167 of 1999 before the District Munsif Court, Perambalur for the relief of permanent injunction and the District Munsif, Perambalur has decreed the suit by judgment and decree dated 19.07.2002. Despite the said order, the above said Dhanalakshmi and others are preventing the petitioner from using the cart track. In this regard, he given a representation dated 14.05.2018 to the respondents. Finding no response, he is before this Court.

3.Despite there is a judgment and decree dated 19.07.2002 passed by the District Munsif, Perambalur in favour of the petitioner, the same has not been followed by respondents 3 to 6. Therefore, the respondents 1 and 2 are directed to consider the representation given by the petitioner by passing a speaking order in the light of the above judgment and decree, within a period of four weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

vga

To

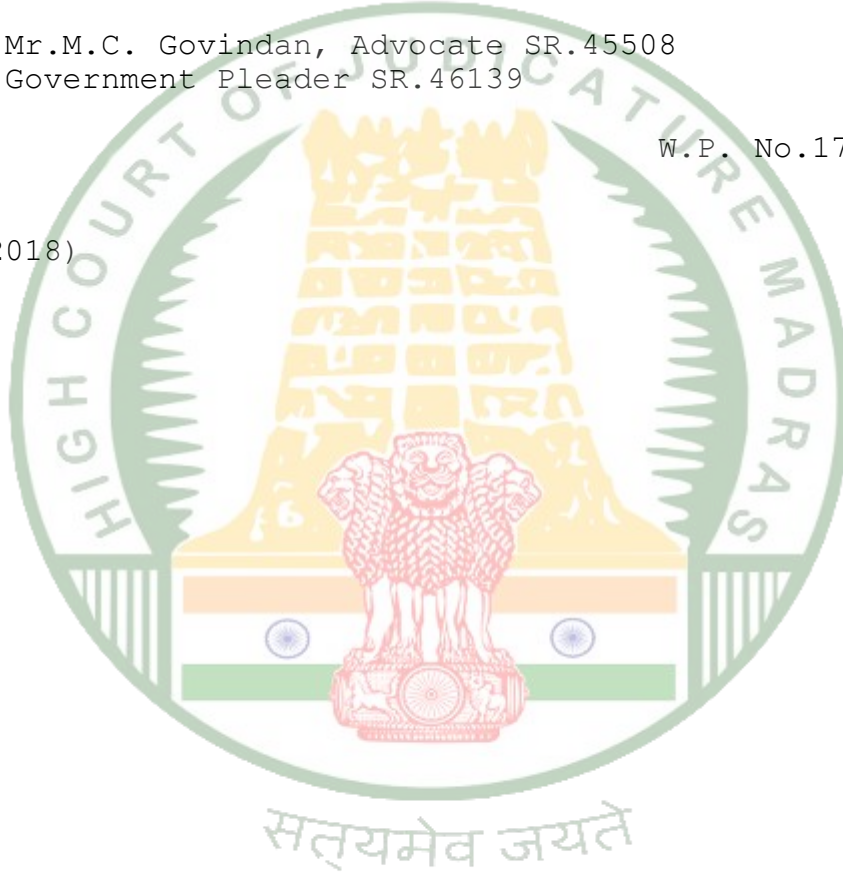
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+ 1 cc to Mr.M.C. Govindan, Advocate SR.45508
+ 1 cc to Government Pleader SR.46139

W.P. No.17473 of 2018

(CS-DR)
EU(01/08/2018)



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