



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.05.2018

WEB COPY

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THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P. (MD) No.11493 of 2018

and W.M.P. (MD) No.10475 of 2018

R.Sivan

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District,
Tirunelveli.

2. The Thasildhar,
Radhapuram Taluk,
Tirunelveli.

3. Dr.K.Shanmuganathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the first respondent to take action against the third respondent for his illegal act committed in violation of the order of the first respondent dated 22.05.2018 by considering the petitioner's representation dated 23.05.2018, 26.05.2018 and 27.05.2018 and consequently direct the respondents to handover the possession of shop at Door No.65C, Main Road, Valliyoor, Radhapuram Taluk after the repair work within the time fixed by this Court, since petitioner's belonging including the gas stove and steel things are inside the shop and the entry to the shop is prevented.

For Petitioner : Mr.H.Arumugam
For R1 & R2 : Mr.K.Saravanan
Government Advocate

O R D E R

Heard Mr.H.Arumugam, learned counsel appearing for the petitioner and Mr.K.Saravanan, learned Government Advocate appearing for the respondent Nos.1 & 2.



2. By consent, the writ petition itself is taken up for final hearing.

3. The petitioner has come up with the present writ petition for a Writ of Mandamus directing the first respondent to take action against the third respondent for his illegal act committed in violation of the order of the first respondent dated 22.05.2018 by considering the petitioner's representation dated 23.05.2018, 26.05.2018 and 27.05.2018 respectively and consequently direct the respondents to handover the possession of shop at Door No.65C, Main Road, Valliyoor, Radhapuram Taluk after the repair work within the time fixed by this Court.

4. Considering the limited scope of the matter, without expressing any opinion on the claim made by the petitioner, I direct the first respondent to consider the representation of the petitioner, dated 27.05.2018 and pass orders on merit and in accordance with law, by giving notice to the petitioner as well as the third respondent, within a period of two weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District,
Tirunelveli.

2. The Thasildhar,
Radhapuram Taluk,
Tirunelveli.

+ 1 cc TO Mr.H.Arumugam , Advocate in SR No. 66339
+ 1 cc TO The Special Government Pleader in SR No. 66399

gns/Ns
AE/SKN RSK/SAR1/07.06.2018/2P/5C