



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.19386 of 2019
and W.M.P.No.18858 of 2019

G.Mallesh

.. Petitioner

-vs-

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The Revenue Divisional Officer,
Krishnagiri District, Krishnagiri.

3.The Tahsildar,
Thenkanikottai Taluk,
Thenkanikottai, Krishnagiri District.

4.JRS Crushers
Rep. By its Partner.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 3 to consider the petitioner's representation dated 08.03.2019 and 19.04.2019 and thereby direct the respondents 1 to 3 to remove the encroachment made by the 4th respondent by put up permanent superstructure and fixed the crusher machinery in the Government Poramboke land in Survey No.355 and 356 situated at Osapuram Village, Thenkanikottai Taluk, Krishnagiri District.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.S.N.Parthasarathy
Govt. Advocate for RR 1 to 3

* * * * *



O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

Heard the learned counsel for the petitioner and Mr.S.N.Parthasarathy, the learned Government Advocate, for respondents 1 to 3.

2.At the outset, the learned counsel for the petitioner stated that he is restricting his prayer only to the direction being issued to the respondents to consider his representation dated 08.03.2019 expeditiously.

3.The case of the petitioner is that respondent no.4 has encroached upon Government Poramboke land in Survey Nos.355 and 356 situated at Osapuram Village, Thenkanikottai Taluk, Krishnagiri District, hence, the petitioner preferred a representation dated 08.03.2019 to the District Collector, Krishnagiri, with a copy marked to the Tahsildar, Thenkanikottai Taluk, Krishnagiri District, who is respondent no.3, and other officials. The learned counsel for the petitioner prayed that the said representation be considered and disposed of at the earliest.

4.The learned Government Advocate stated that the proper authority to consider the representation is respondent no.3, the Tahsildar, Thenkanikottai Taluk, Krishnagiri District. As stated earlier, a copy of the said representation has also been addressed to the respondent no.3, Tahsildar, Thenkanikottai Taluk, Krishnagiri District.

5.In view of the limited prayer being made by the learned counsel for the petitioner, without going into the merits of the matter, we direct the respondent no.3, the Tahsildar, Thenkanikottai Taluk, Krishnagiri District, to consider the representation dated 08.03.2019 and dispose it of, after giving notice to respondent no.4, within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is, accordingly, disposed of. No costs. Consequently, W.M.P.No.18858 of 2019 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra



To

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The Revenue Divisional Officer,
Krishnagiri District, Krishnagiri.

3.The Tahsildar,
Thenkanikottai Taluk,
Thenkanikottai,
Krishnagiri District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.59268

+1cc to the Government Pleader, S.R.No.59775

W.P.No.19386 of 2019

LN(CO)

RRS (19/08/2019)