

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.15595 of 2014

P.Sundharamoorthi

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Cuddalore - 1.
2. The Tahsildar,
Office of Tahsildar, Panrutti.
3. Mr.Uttrakumar,
The Village Panchayath,
Represented by its Executive Officer,
Keeshmambattu,
Panrutti-Taluk,
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to dispose off the representation of the petitioner dated 26.04.2014.

For Petitioner : Mr.M.Raja Sekhar

For Respondents : Mr.M.Karthikeyan, AGP RR1 & 2
Additional Government Pleader
Mr.K.Dhananjayan for R3

O R D E R

This writ petition has been filed seeking for a direction to the respondents 1 and 2 to dispose off the representation of the petitioner dated 26.04.2014.

2. According to the petitioner, his property at Survey No.239 (New Survey No.586/6 in Keezhmampattu Village, Panrutti Taluk, Cuddalore District has been encroached by the 3rd respondent. Hence, he has given a representation, dated 26.04.2014 to the 1st and 2nd respondents stating the aforesaid

encroachment by the 3rd respondent at his property and to take against him. But the same has neither been considered nor steps taken to remove the encroachment. Hence, the petitioner is before this Court seeking for an appropriate direction.

3. The learned counsel for the petitioner would submit that the petitioner has taken more efforts to safeguard his property. In spite of the same, the 3rd respondent has encroached the petitioner's property. Therefore, the relief sought for may be granted by this Court.

4. The learned Additional Government Pleader opposed the contention raised by the learned counsel for the petitioner and submitted that as per the directions issued by this Court, the 2nd respondent has conducted the survey and submitted a report. At this juncture, the petitioner has to act upon the said report.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the 1st and 2nd respondents to consider the representations of the petitioner dated 26.04.2014 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of personal hearing to the petitioner within a period of two weeks from the date of receipt of a copy of this order. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vs12

To

1. The District Collector,
Office of the District Collector,
Cuddalore - 1.

2. The Tahsildar,
Office of Tahsildar, Panrutti.

+1 cc to Mr.M.Raja Sekhar, Advocate, S.R.No.19615
+1 cc to the Government Pleader, S.R.No.20036

W.P.No.15595 of 2014

EV(CO)
SSM(09/05/2019)