

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.9480 of 2016

R.C.Dilli Babu

.. Petitioner

Vs.

1. The Block Development Officer,
Thiruvallankadu Block (V.P),
Thiruvallankadu, Tiruttani Taluk,
Tiruvallur District.
 2. The Tahsildhar,
Tiruttani Taluk,
Tiruttani, Tiruvallur District.
 3. The District Collector,
Tiruvallur District, Tiruvallur.
 4. The Inspector of Police,
Tiruvallangadu Police Station,
Tiruvallur District.
- .. Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the 3rd respondent to consider and pass orders on the petitioner's representation dated 15.02.2016 seeking to give adequate protection to the petitioner and execute the construction of a Village Panchayat Service Centre and the additional school buildings of the Government High School at Manavur, Tiruvallur District.

For Petitioner : Mr.V.Jeevagiridharan

For Respondents : Mr.N.Inbanathan
Addl. Government Pleader

Mr.V.R.Rajasekar,
Block Development Officer,
Thiruvallankadu

Mr.R.Venkatesan,
Zonal Deputy Tahsildar

Mr.R.C.Dilli Babu, President,
Manavur Panchayat (appeared in person)

O R D E R

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the 3rd respondent to consider and pass orders on the petitioner's representation dated 15.02.2016 seeking to give adequate protection to the petitioner and execute the construction of a Village Panchayat Service Centre and the additional school buildings of the Government High School at Manavur, Tiruvallur District.

2. The petitioner, who is the elected President of Manavur Panchayat in Tiruvallur District, had identified a Grama Natham Poromboke land to an extent of 2736 sq.ft in S.No.199/13 for putting up a building. The Block Development Officer, Thiruvallankadu, and the Tahsildar, Tiruttani, who are respondent Nos. 1 and 2 herein have identified the land suitable for the purpose of putting up the Village Panchayat Service Centre and given the clearance for the same.

3. Mr.V.R.Rajasekar, Block Development Officer, Thiruvallankadu, Mr.R.Venkatesan, Zonal Deputy Tahsildar, and also the petitioner viz., R.C.Dilli Babu, are personally present in this Court.

4. The Block Development Officer, Thiruvallankadu, states that a third party filed a suit and disturbing the construction. The petitioner also states that the said suit is filed for declaration and the same is pending till today.

5. Admittedly, there is no interim order. As the petitioner is unable to put up construction in view of the disturbance caused by the private parties, he sought for police protection and also the help of the respondents.

6. It is stated that the building being Service Centre for the Village Panchayat, funds have been granted and the same would lapse if the construction is not completed within a stipulated time. Hence, the petitioner made a request to the third respondent on 15.02.2016 seeking a direction to the Police to give adequate protection during the construction of the building.

7. Considering the facts and circumstances of the case, this Court directs the 3rd respondent/District Collector,

Tiruvallur District, to consider the petitioner's representation dated 15.02.2016 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of three (3) weeks from the date of receipt of a copy of this order and also directs respondent Nos.1 and 2 to cooperate for completion of the building.

With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

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To

1. The Block Development Officer,
Thiruvallankadu Block (V.P),
Thiruvallankadu, Tiruttani Taluk,
Tiruvallur District.
2. The Tahsildhar,
Tiruttani Taluk,
Tiruttani, Tiruvallur District.
3. The District Collector,
Tiruvallur District, Tiruvallur.
4. The Inspector of Police,
Tiruvallangadu Police Station,
Tiruvallur District.

+1cc to Mr.V.Jeevagiridharan, Advocate, S.R.No. 24845
+1cc to the Government Pleader, S.R.No. 25167

W.P.No.9480 of 2016

VG II(CO)
GN(26/04/2019)