

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.31670 of 2019

K.Rajendra Prasanth

.....Petitioner

Vs

1.The District Collector,
Vellore,
Vellore District.

2.The Revenue Development officer
Vellore District.

3.The Commissioner,
Vellore Corporation, Vellore District.

4.The Tahsildar,
Vellore taluk office,
Vellore Vellore District.

5.The Managing Director
Hotel Poppies katpadi Road, Vellore Vellore
District.

..... Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus directing the 1st Respondent to dispose the Petitioner representation dated 29.12.2018 by affording personnel Opportunity within stipulate period and to ensure the usage of the 20 feet Public road by the Residents of Anna Nagar (Muthu Mandapam) Vellore Vellore District.

For Petitioner : Mr.M.Sathish Kumar

For Respondents : Mr.P.S.Shivashanmugasundaram
Special Government Pleader
for R1 & R2

Mr.P.Shanthi

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J.,]

The Petitioner claims to be a resident of Anna Nagar (rear side of the church), Muthu Mandabam, Vellore, Vellore District and that he is a resident of the above cited address for over 35 years and the land in T.S.No.1779/2, 1779/3, 1779/4, Ward No.2, Block 27 were developed into housing plots with a provision of 20 feet public road. The petitioner claims to have purchased a plot and according to him, the 5th respondent / Hotel

Manager had encroached upon the 20 feet public road and preventing access to the local residents. The petitioner in this regard has submitted a representation dated 29.12.2018 and despite receipt and acknowledgment, he has not been favoured with any kind of response and hence came forward to file this Writ petition.

2. Heard the submission of the learned counsel appearing for the petitioner and perused the materials.

3. The petitioner neither in the affidavit nor in the typed set of documents have not enclosed any documents as to how he has right, title and possession in respect of the place in which he said to be residing as well as right over the said public road.

4. Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader accepts notice on behalf of the respondents 1, 2 and 4. Mrs.P.Shanthi, learned counsel accepts notice on behalf of the 3rd respondent.

5. The learned Special Government Pleader appearing for the respondents 1, 2 and 4 would submit that in the absence of any tenable materials, it is difficult to dispose of the petitioner's representation.

6. This Court has considered the rival submissions and also perused the materials placed before it.

7. This Court, without going into the merits of the claim projected dby the petitioner either in this Writ petition or in his representation, directs the petitioner to submit a detailed representation by enclosing all relevant and authenticated documents as to his claim to the respondents 3 and 4 within a period of four weeks from the date of receipt of a copy of this order and the respondents 3 and 4, upon receipt of the same, shall put the 5th respondent on notice and thereafter consider and dispose of the representation on merits and in accordance with law within a further period of eight weeks and communicate the decision taken, to the petitioner as well as the 5th respondent.

8. The Writ petition stands disposed of with the above directions. No costs.

[M.S.N.,J] [N.S.S., J]
12.11.2019

Index :Yes/ No

Internet :Yes /No

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To

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Vellore District.

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3.The Commissioner,
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4.The Tahsildar,
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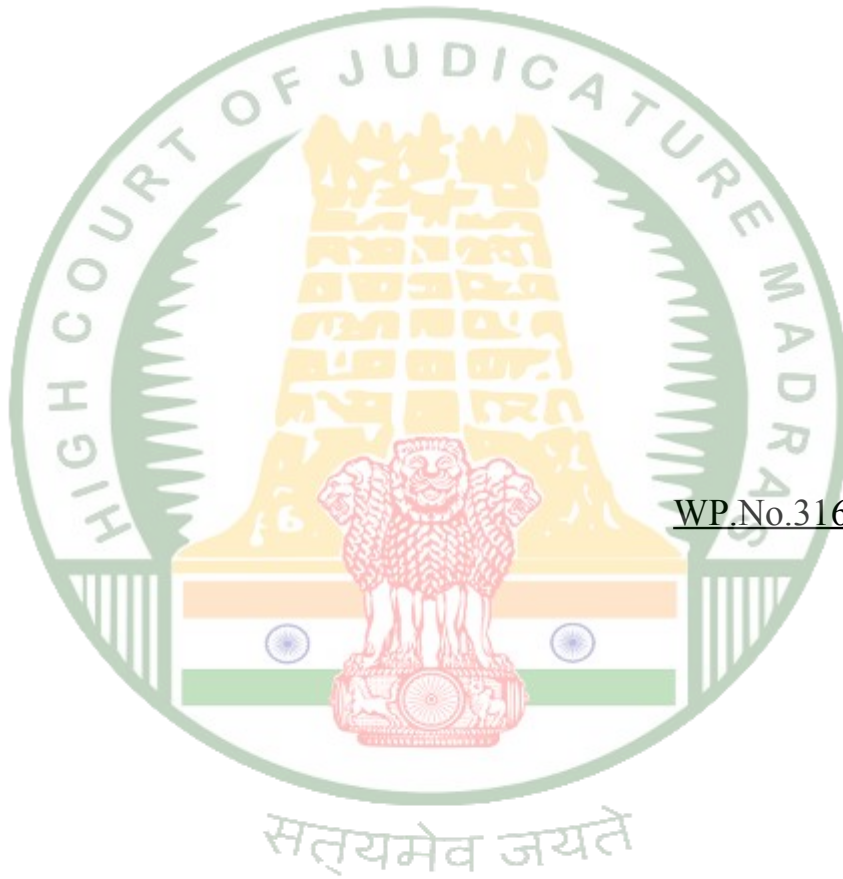
5.The Managing Director
Hotel Poppies katpadi Road, Vellore Vellore
District.

M.SATHYANARAYANAN.,J.

and

N.SESHASAYEE.,J.

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