

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.NO.31322 OF 2019

B.Mahendran

Petitioner

Vs

1. The District Collector
Coimbatore District.
2. The Tahsildar
Annur Taluk,
Annur, Coimbatore.
3. The Revenue Divisional Officer
Coimbatore.
4. R.Subramanian
866, Annur Mettupalayam
Annur (Via), Coimbatore - 641 653.
5. K.Rukumani
67, Annur Mettupalayam
Annur (Via), Coimbatore - 641 653.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to take action to remove the encroachments in the Annur Mettupalayam, Natham New Ka.Sa.No.551/7, Annur Taluk, Coimbatore District by considering the representation made by the petitioner dated 19.06.2019 by the 3rd respondent within the time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Chandrasekaran

For Respondents: Mr.V.Jayaprakash Narayanan,
Special Govt Pleader (R1 to R3)

O R D E R

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

By consent, this writ petition is taken up for final disposal.

2. The petitioner claims to be the owner of the house site admeasuring to an extent of 1302(0.03) cents through a registered sale deed dated 28.12.2012, bearing document No.10874/2012, registered on the file of the office of Sub-Registrar, Annur and obtained a patta. The grievance expressed by the petitioner is that the petitioner has obtained necessary plan approval to put up a superstructure on the western side of the schedule mentioned property and there exists a common pathway and the private respondents had encroached upon the said portion. The petitioner, in this regard, has also submitted a representation dated 19.06.2019 to the second respondent and despite receipt and acknowledgment, no action has been taken and therefore, the petitioner is constrained to approach this Court by filing this writ petition.

3. This Court heard the submissions of Mr.V.Jayaprakash Narayanan, learned counsel Special Government Pleader, who accepts notice on behalf of respondents 1 to 3.

4. Though the petitioner prays for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits either in his representation or in this writ petition, directs the second respondent to put the petitioner as well as the private respondents and any other persons concerned on notice and thereafter, cause inspection in New Survey No.551/7 in Annur Taluk, Coimbatore District and depending upon the result of inspection, shall take appropriate action in accordance with law and also adhering to the principles of natural justice and complete the said exercise within a period of 10 weeks from the date of receipt of a copy of this order and also inform the decision taken, in pursuant to the above said exercise, to the petitioner, private respondents as well as to the persons concerned.

5. This writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsm

To

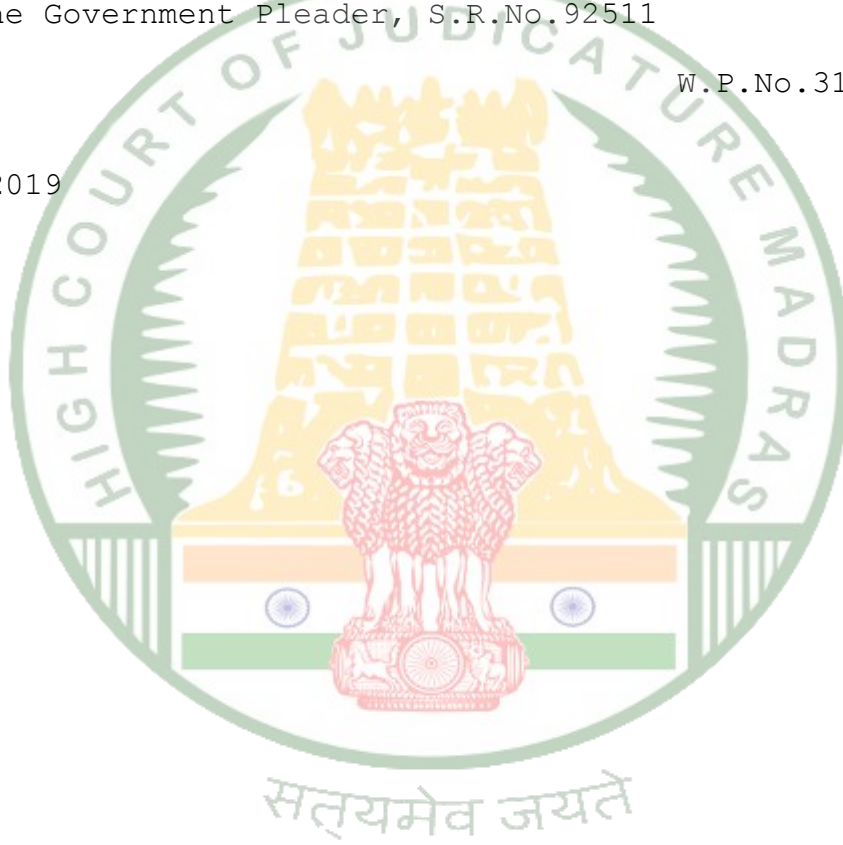
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Coimbatore District.
2. The Tahsildar
Annur Taluk,
Annur, Coimbatore.
3. The Revenue Divisional Officer
Coimbatore.

+1cc to Mr.R.Chandrasekaran, Advocate, S.R.No.92369

+1cc to the Government Pleader, S.R.No.92511

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VBA (CO)
CS/16/12/2019



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