

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2019

CORAM

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

AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.31732 of 2018

M.Sivasakthivel

.. Petitioner

Vs

1.The District Collector
Office of the District Collector
Vellore District - 635852.

2.The Tahsildar
Office of The Tahsildar
Natrampalli
Vellore District - 635852.

3.The Block Development Officer
Natrampalli Union,
Natrampalli P.O.
Vellore District - 635852.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 2nd respondent to comply with the order dated 07.09.2018 issued to him by the 3rd respondent and submit a report to the 3rd respondent within a specific time frame and further direct the respondents to consider the representation of the petitioner dated 02.03.2018 to remove the encroachments, survey and mark boundaries of the cart track situated in S.Nos.198/4C, 198/4b, 199/2B, 2C, 2D, 2E, 2F, 2G, 2J in Thekkupattu Village, Natrampalli Taluk, Vellore District and lay a tar road in the said cart track.

For Petitioner

: Mr.N.Baskaran

For Respondents

: Mr.Kamalesh Kannan
Government Advocate

ORDER

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

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2. The main prayer of the petitioner is that the respondents, i.e., (i) The District Collector, Office of the District Collector, Vellore District; (ii) The Tahsildar, Office of The Tahsildar, Natrampalli, Vellore District; and (iii) The Block Development Officer, Natrampalli Union, Natrampalli P.O., Vellore District, should consider his representation dated 2.3.2018 and remove the encroachments on the cart track situated in S.Nos.198/4C, 198/4b, 199/2B, 2C, 2D, 2E, 2F, 2G, 2J in Thekkupattu Village, Natrampalli Taluk, Vellore District.

3. The third respondent, i.e., The Block Development Officer, Natrampalli Union, Natrampalli P.O., Vellore District, has filed his counter affidavit, wherein it is stated that during field inspection the petitioner has not mentioned any names of the encroachers and he has failed to produce any documents supporting his claim that certain private persons had encroached on the cart track in question.

4. Thus, it is seen that, in the representation, no necessary particulars have been furnished by the petitioner. In such case, it is not possible for the authorities to take any action on the said representation.

5. Thereupon, the learned counsel for the petitioner stated that he will prefer a fresh representation to the authorities concerned giving all the necessary particulars, including the names of the encroachers, survey numbers and other details.

6. The learned Government Advocate states that on receipt of the fresh representation giving all necessary particulars, the same will be considered in accordance with law as expeditiously as possible.

In view of the above, no further orders are required to be passed in this writ petition. The writ petition is disposed of with the above observations. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sasi

To:

1.The District Collector
Office of the District Collector
Vellore District - 635852.

2.The Tahsildar
Office of The Tahsildar
Natrampalli
Vellore District - 635852.

3.The Block Development Officer
Natrampalli Union, Natrampalli P.O.
Vellore District - 635852.

+1cc to Mr.N.Baskaran, Advocate, S.R.No.13133

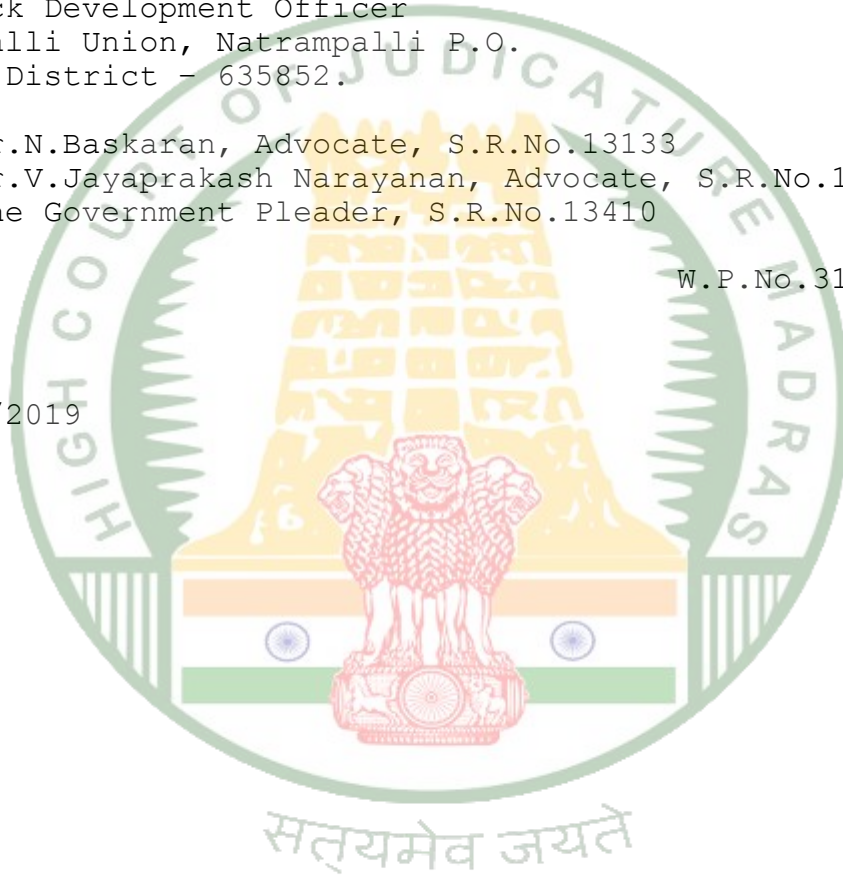
+1cc to Mr.V.Jayaprakash Narayanan, Advocate, S.R.No.12792

+1cc to the Government Pleader, S.R.No.13410

W.P.No.31732 of 2018

KS(CO)

rrs 05/03/2019



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