



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2019

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.18026 of 2019

V.Perumal Thevar

...Petitioner

-Vs-

1.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

2.M.Karuppasamy

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to conduct proper enquiry based on the petitioner's representation dated 01.07.2019.

For Petitioner : Mr.M.Subash Babu
For Respondents : Mr.M.Rajarajan, G.A. For R1

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st respondent to conduct proper enquiry based on the petitioner's representation dated 01.07.2019.

2.Heard Mr.M.Subash Babu, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Government Advocate appearing for the 1st respondent. Since no adverse order going to be passed against the 2nd respondent, notice to him is dispensed with.

3.In respect of the common pathway to reach the petitioner's land at S.No.306/4 at Nakkalakottai Village, Kadambankulam Hamphlet, Virudhunagar District, the petitioner has given representation to the 1st respondent on 01.07.2019 and the petitioner made a complaint against the 2nd respondent herein, who has occupied the public pathway to reach the land of the petitioner and other landholders of the locality and therefore, the learned counsel appearing for the petitioner would submit that, if the said representation is decided on merits, after hearing both the petitioner as well as the 2nd respondent by the 1st respondent, within a time frame, the petitioner would be satisfied.



4.I have heard the learned Government Advocate appearing for the first respondent, who would submit that, the said representation of the petitioner dated 01.07.2019 would be decided on merits and in accordance with law, after conducting an enquiry in this regard, within a time frame to be stipulated by this Court.

5.Having regard to the said submissions made by both sides, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The 1st respondent is hereby directed to consider the representation of the petitioner dated 01.07.2019 on merits and in accordance with law, of course, after hearing both the petitioner as well as the 2nd respondent and other claims, if any, by issuing separate notices to them and pass final orders thereon, within a period of 6 weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

Arul

To

The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

+1 CC to Mr.SUBASH BABU, Advocate (SR-82659[F] dated 21/08/2019)

+1 CC to SPL GP (SR-82868[F] dated 21/08/2019)

Order made in
W.P. (MD)No.18026 of 2019
20.08.2019

VB(30.12.2019) 2P 4C