

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.07.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.21773 of 2013
and M.P.No.1 of 2013

D.Selvaraj

... Petitioner

Vs.

- 1.The District Collector,
Salem District, Salem.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Attur Taluk, Salem District.
- 3.The Tahsildar,
Attur Taluk, Salem District.
- 4.The Block Development Officer,
Thalaivasal Panchayat Union,
Kaattukottai Post,
Attur Taluk, Salem District.
- 5.The President,
Kattukottai Panchayat,
Kattukottai Post,
Attur Taluk, Salem District.

6.Chinnathambi

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus to direct the respondents 1 to 4 herein to consider the representation of the petitioner dated 22.07.2013 in seeking to take action against the 6th respondent for creating fabricated documents over the 5th respondent Panchayat Road and further forbear him from digging, obliterating or making any encumbrance over the Panchayat Road, S.No.616/27 of Kaattukottai Village, Attur Taluk, Salem District.

For Petitioner : Mr.G.Arul Murugan

For Respondents: Ms.A.Madhumathi,
Special Government Pleader (R1 to R3)

Mrs.K.Bhuvaneswari,
Additional Government Pleader (R4)

Mr.M.Digvijaya Pandian (R5)

Ms.Priyadharshini
for Mr.E.Kannadasan (R6)

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents 1 to 4 to consider the representation of the petitioner dated 22.07.2013 seeking to take action against the 6th respondent for creating fabricated documents over the 5th respondent Panchayat Road and further forbear him from digging, obliterating or making any encumbrance over the Panchayat Road, S.No.616/27 of Kaattukottai Village, Attur Taluk, Salem District.

2.Mr.G.Arul Murugan, learned counsel appearing for the petitioner submitted that though the petitioner has given the representation as early as on 22.07.2013 to the respondents 1 to 4 seeking action against the 6th respondent, so far the respondents have not passed any order.

3.Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the 2nd respondent may be directed to consider the petitioner's representation and pass orders in accordance with law.

4.Mr.M.Digvijaya Pandian, learned counsel appearing for the 5th respondent and Mrs.K.Bhuvaneswari, learned Additional Government Pleader appearing for the 4th respondent also supported the stand of the learned Special Government Pleader.

5.Ms.Priyadharshini, learned counsel for the 6th respondent submitted that the 2nd respondent may be directed to consider the petitioner's representation and pass orders, after giving notice to the 6th respondent.

6.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the learned counsel for the petitioner, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representation dated 22.07.2013 and pass orders, on merits and in accordance with law, after giving notice to the petitioner as well as to the 6th respondent, within a period of four months from the date of receipt of a copy of this order.

7.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

va
To

- 1.The District Collector,
Salem District, Salem.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Attur Taluk, Salem District.
- 3.The Tahsildar,
Attur Taluk, Salem District.
- 4.The Block Development Officer,
Thalaivasal Panchayat Union,
Kaattukottai Post,
Attur Taluk, Salem District.
- 5.The President,
Kattukottai Panchayat,
Kattukottai Post,
Attur Taluk, Salem District.

+1cc to Mr.G.Arul Murugan , Advocate SR.No. 25022
+1 cc to Government Pleader Sr.No. 25049

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W.P.No.21773 of 2013
and M.P.No.1 of 2013

A.SK(28/07/2020)

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