

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.12674 of 2019
(Heard Through VC)

Venkataraman

.. Petitioner

Vs.

1. The District Collector,
Krishnagiri District.
2. Revenue Divisional Officer,
Krishnagiri District.
3. Tahsildar,
Krishnagiri District.
4. Kanagaraj .. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 20.10.2018 and in furtherance to remove the obstruction in the pathway leading to the petitioner's house situate in S.F.No.864 in Anakodi Village and Post. Pochampalli Taluk.

For Petitioner : Mr.M.K.Venkatasubban

For Respondents : Mr.K.S.Suresh, Govt.Advocate
1 to 3

For Respondent-4 : Mr.J.Dhanasekaran

ORDER

With the consent of learned counsel on either side, this writ petition is taken up for final disposal at the admission stage itself.

2. The Writ Petition is filed seeking a mandamus to direct the respondents to consider the petitioner's representation

dated 20.10.2018 and in furtherance to remove the obstruction in the pathway leading to the petitioner's house situate in S.F.No.864 in Anakodi Village and Post, Pochampalli Taluk.

3. It is the case of the petitioner that he owns the house situated in S.F.No.864 in Anakodi Village and after his retirement from the Armed Forces in 2009, he settled down in the said house. The petitioner has to pass a public pathway in S.F.Nos.872, 871, 868 and 869, in order to reach his house from Jagadevi, Sandhur Road. Apart from this pathway, the petitioner does not have any other access to his house. As the people of his village interfered with his right of using the said pathway, the petitioner is not able to use the pathway to ingress and egress and to transport his agriculture products. In this regard, the petitioner sent a representation dated 20.10.2018 to the respondents 1 and 2 seeking removal of the obstruction and the second respondent had forwarded the same to the third respondent herein to conduct an enquiry, based on his representation. But, till date, no enquiry was conducted. Therefore, the petitioner is before this Court.

4. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for respondents 1 to 3, and the learned counsel for the respondent 4 and perused the materials available on record.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents 1 to 3 to consider the representation of the petitioner dated 20.10.2018, enquire into the same and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner as well as the fourth respondent and by affording them an opportunity of personal hearing or virtual hearing or otherwise considering their written objections and after verifying the relevant documents, on or before 30.11.2020.

6. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

srn

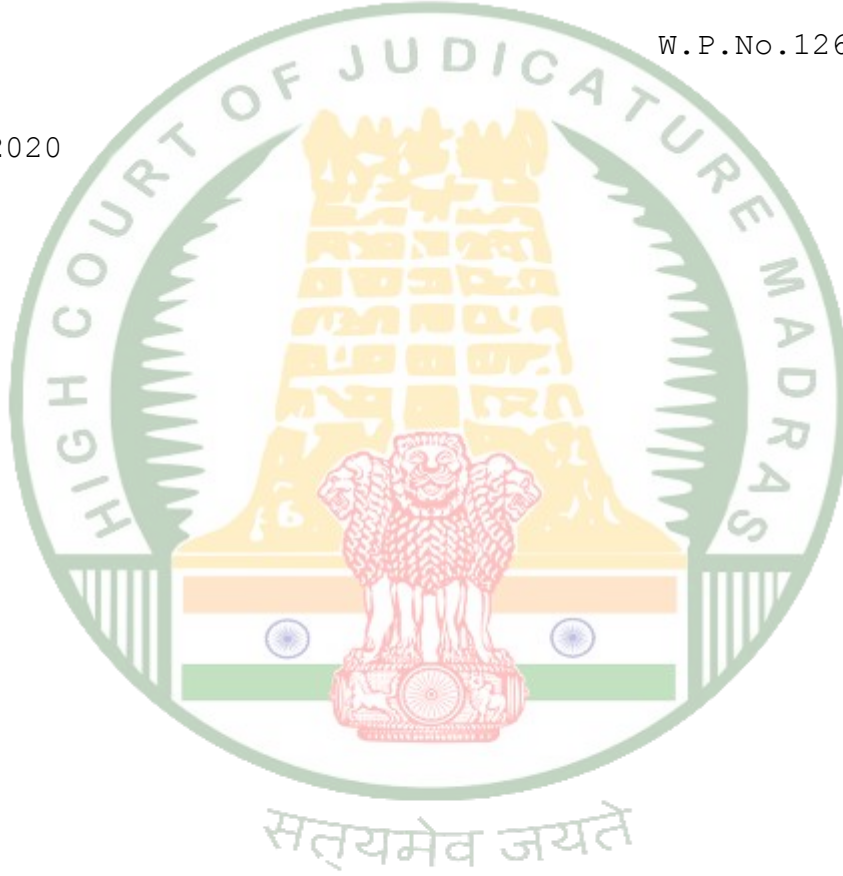
To

1. The District Collector,
Krishnagiri District.
2. The Revenue Divisional Officer,
Krishnagiri District.
3. The Tahsildar,
Krishnagiri District.

+lcc to M/s.Sarvabhauman Associates, in S.R.No.33455

W.P.No.12674 of 2019

SRA(CO)
CS/22/10/2020



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