

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P. No.13418 of 2019 and W.M.P. No.13521 of 2019

Dr.K.Umapathy

.. Petitioner

v.

1.District Collector,
Thiruvarur District.
Thiruvarur.

2.Revenue Divisional Officer,
Mannargudi,
Thiruvarur District.

3.Tahsildar,
Thiruthuraipoondi,
Thiruvarur District.

4.Block Development Officer,
Thiruthuraipoondi,
Thiruvarur District.

5.V.Chandra

6.Sakthivel

7.Rajamanickam

8.Verapatharan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents 1 to 4 herein to take appropriate action for the illegal and unauthorised constructions put up by the respondents 5 to 8 herein in the petitioner's property in Survey No.142/6A i.e.in the present Survey Nos.142/6A1, 142/26, 142/27, 142/28, 142/29 and 14/30 at Manali Village, Thiruthuraipoondi Taluk, Thiruvarur District for demolition of the same.

For petitioner : Mr.Muthukumar A.

For respondents: Mr.K.S.Suresh,
Government Advocate for R1 to R3

Mr.V.Jayaprakash Narayanan for R4

No appearance for R5 to R8

ORDER

(Order of this Court was made by R.SUBBIAH,J.)

The writ petition has been filed for mandamus directing respondents 1 to 4 herein to take appropriate action for the illegal and unauthorised constructions put up by respondents 5 to 8 herein in the petitioner's property in Survey No.142/6A i.e. in the present Survey Nos.142/6A1, 142/26, 142/27, 142/28, 142/29 and 14/30 at Manali Village, Thiruthuraipoondi Taluk, Thiruvarur District for demolition of the same.

2.Though very many contentions have been raised by the learned counsel appearing for the petitioner, ultimately the prayer of the petitioner is to take action for removing the construction put up by respondents 5 to 8 in the above Survey Numbers.

3.Though notice was served on respondents 5 to 8 and their names have been printed in the cause list, they have not chosen to appear 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 Special Government Pleader appearing for the fourth respondent.

5.In view of the submission made by either side, this Court hereby directs the petitioner to give fresh copy of representation to the Tahsildar, Thiruthuraipoondi, Thiruvarur District, the third respondent herein, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent is directed to conduct enquiry, by affording an opportunity of personal hearing to the petitioner as well as respondents 5 to 8 and the necessary parties, if any and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter.

6.With the above direction, the writ petition stands disposed of. Consequently, W.M.P. No.13521 of 2019 stands closed. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vga

To

1.District Collector,
Thiruvavur District.
Thiruvavur.

2.Revenue Divisional Officer,
Mannargudi,
Thiruvavur District.

3.Tahsildar,
Thiruthuraiipoondi,
Thiruvavur District.

4.Block Development Officer,
Thiruthuraiipoondi,
Thiruvavur District.

+lcc to Mr.A.Muthukumar, Advocate SR.2641
+lcc to Mr.V.Jayaprakash Narayanan, Advocate SR.2811
+lcc to the Government Pleader SR.2744

W.P. No.13418 of 2019 and W.M.P. No.13521 of 2019

SSV (CO)
CB(14/02/2020)

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