

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.14709 OF 2020

D.Malar

... Petitioner

Vs.

1.The Collector,
Namakkal District.

2.The Assistant Director of Rural Development,
Namakkal District.

3.Block Development Officer (Village Panchayat),
Namakkal District.

4.M.Shanmugapriya

5.The President,
Elandakuttai Panchayat Union, Namakkal District.
(5th respondent is suo motu impleaded as per
order dated 14.10.2020)

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the third respondent herein to take necessary action based upon the direction of the 2nd respondent in his letter dated 09.06.2020.

For Petitioner : Mr.V.Balamurugane

For Respondents : Mr.A.Aruldoss,

Government Advocate for R1 to R3

O R D E R

The case of the petitioner is that the subject property has been demarcated as a primary residential zone under G.O.Ms.No.1730, dated 24.07.1974. The grievance of the petitioner is that the 4th respondent is attempting to establish a Handloom Industry in the residential area. A representation was made to the 2nd respondent in this regard and the second respondent had directed the 3rd respondent to enquire and take necessary action and submit a report. In spite of this direction, no enquiry was conducted and aggrieved by the same, the present writ petition has been filed before this Court.

2. Mr.A.Aruldoss, learned Government Advocate appearing on behalf of respondents 1 to 3 submitted that necessary action will have to be taken only by the concerned Panchayat Union. This Court therefore suo motu impleads the Panchayat Union as the 5th respondent in this Writ Petition.

3. In view of the above, there shall be a direction to the petitioner to make a representation to the 5th respondent by placing all the documents and the 5th respondent on receipt of the same shall enquire into the matter after affording opportunity to the 4th respondent and take appropriate action strictly in accordance with law. The 5th respondent shall complete the process within a period of six weeks from the date of receipt of representation from the petitioner.

4. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Collector,
Namakkal District.
2. The Assistant Director of Rural Development,
Namakkal District.
3. Block Development Officer (Village Panchayat),
Namakkal District.
4. The President,
Elandakuttai Panchayat Union,
Namakkal District.

+1cc to Mr.V.Balamurugane, Advocate, S.R.No.34395
+1cc to the Government Pleader, S.R.No.34692

W.P.No.14709 of 2020

SSI(CO)
CS/10/12/2020