

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

WP.No.14533 of 2020

E.Parasuraman

... Petitioner

Versus

1.The District Collector,
Vellore, District Collectorate,
Sathuvachari, Vellore 632 009.

2.The Revenue Divisional Officer, Vellore
District Collectorate Building,
Sathvachari, Vellore 632 009.

3.The Tahsildar,
Anaicut Taluk, Vellore District,
Anaicut, Vellore 632 101.

4.V.Venkatesan

5.V.Velmurugan

6.V.Shanmugam

...Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus directing the respondents 1 to 3 to remove the illegal and unauthorised wall constructed by the respondents 4 to 6 in the Grama Natham land comprised in S.No.48/4 of Varathalampattu Village, Anaicut Taluk, Vellore District and also to retrieve the Tamarind tree in the said land from the clutches of the respondents 4 to 6, and put to use for public purpose.

For Petitioner : Mr.C.P.Sivamohan

For Respondents : Mr.P.S.Sivashanmugasundaram
Special Government Pleader
R1 to R3

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J.,]

The Writ Petition is styled as a Public Interest Litigation filed by the resident of Varathalampattu Village, Anaicut Taluk, Vellore District, on behalf of the villagers. The grievance of the petitioner is that a huge tamarind tree was in existence in S.No.48/4, classified as 'Government Poromboke land', and it was fell down by the respondents 4 to 6 even before in the year 2017 and despite the concerned official respondents aware of the same, they did not take any action. The respondents 4 to 6 have become embolden on account of inaction on the part of the official respondents with regard to illegal cutting of century old tamarind tree, started putting up

construction and thereby prevented the access to the town bus no.13-A, which terminated to the said Village.

2. The learned counsel appearing for the petitioner would submit that repeated representations dated 30.11.2017, 14.08.2020, 26.08.2020 submitted in this regard to the concerned official respondents did not invoke any kind of response and therefore, the present Writ Petition is filed.

3. This Court heard the submission of Mr.P.S.Shivashanmugasundaram, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 3.

4. This Court taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representation or in this Writ Petition directs the respondents 2 and 3 to consider and dispose of the representations dated 14.08.2020 and 26.08.2020, after putting on notice the respondents 4 to 6 and pass appropriate orders on merits and in accordance with law within a

period of eight weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner as well as the respondents 2 and 3.

5. The Writ Petition is disposed of accordingly. No costs.

[M.S.N.,J] [R.H., J]
12.10.2020

Internet: Yes / No
Index: Yes/No

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To

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AND
R.HEMALATHA, J.
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