

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.14870/2020

S.Manickam

.. Petitioner

Versus

1. The Government of Tamil Nadu
rep.by the District Collector
O/o.The Collectorate Office
Villupuram District.

2. The Commissioner
Corporation of Villupuram
Villupuram District.

3. The Tahsildar
Taluk Office, Villupuram,
Villupuram District.

4. Mr.Kesavan .. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd respondent to remove the encroachment made by 4th respondent in Public Street pursuant to the petitioner representation dated 13.08.2020.

For Petitioner : Mr.R.Thirumoorthy

For RR 1 to 3 : Ms.R.J.Radhika
Government Advocate

ORDER

- (1)By consent, the writ petition is taken up for final disposal and is disposed of by this order.
(2)Ms.R.J.Radhika, learned Government Advocate accepts notice on behalf of respondents 1 and 3.
(3)The petitioner who is a senior citizen, claims to have purchased a landed property vide a registered Sale Deed bearing

Document No.1682 of 1995 dated 26.10.1995, admeasuring to an extent of 2760 sq.ft., in S.No.33, Plot No.1, Sub Division No.4, Keezhperumbakkam Village, Villupuram District. The petitioner sought for regularisation of his unapproved plot and also paid the necessary fees and vie proceedings of the Villupuram Directorate of Town and Country Planning, the Sub Division of his plot has also been approved.

- (4)The learned counsel for the petitioner would submit that the 4th respondent who is employed in a Private Bank, has caused obstruction of the public pathway through which, the petitioner is having access to his plot and in this regard, he has also submitted a representation dated 17.08.2020 to the office of the 1st respondent, who in turn, sent a Memo in O.Mu.No.Aa5/16735/2020 dated 25.08.2020 to the 3rd respondent to take appropriate action and inform the same to the petitioner and though nearly two months had lapsed, nothing has been done so far and on account of the obstruction caused by the 4th respondent, the petitioner is unable to reach his plot and develop it further and hence, prays for appropriate orders.
- (5)The Court heard the submissions of Ms.R.J.Radhika, learned Government Advocate appearing for the respondents 1 to 3 and also perused the materials placed before it.
- (6)Though the petitioner had prayed for a larger relief, this Court, in the light of the above facts and circumstances of the case and without going into the merits of the claim projected by the petitioner, either in his representation or in this writ petition, directs the 3rd respondent to act on the above cited Memo issued by the Office of the 1st respondent dated 25.08.2020 and after putting on notice, the petitioner and the 4th respondent, shall take appropriate action in accordance with law, with regard to the alleged grievance expressed by the petitioner, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the 4th respondent.
- (7)The writ petition is disposed of accordingly. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The District Collector
Government of Tamil Nadu
O/o.The Collectorate Office
Villupuram District.

2.The Commissioner
Corporation of Villupuram
Villupuram District.

3.The Tahsildar
Taluk Office, Villupuram,
Villupuram District.

+1 cc to M/s.R.Thirumoorthy, Advocate Sr.No. 34486
+1 cc to The Government Pleader, Sr.No. 34666

WP.No.14870/2020

SVI (CO)
RMP (24/11/2020)



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