

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.3895 of 2014

&

M.P.No.1 of 2014

P.Durai

... Petitioner

vs

1. The District Collector,
Villupuram, Villupuram District.

2. The Tahsildar,
Kallakurichi Taluk,
Villupuram District.

3. Village Administrative Officer,
19, Eamappar Village and Post,
Kallakurichi Taluk, Villupuram District.

4. The Commissioner
Municipality Office,
Kallakurichi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 18.1.2014 and take action against the officials of the 4th respondent who committed the illegal activities on 7.1.2014 for demolish the petitioners building in part and to file a report within a stipulated period.

For Petitioner : Mr.A.D.Janarthanan
For RR1 to 3 : Mr.R.S.Selvam
Government Advocate
For R4 : Mr.B.Anand

ORDER

This writ petition is heard through Video-Conferencing, on account of the COVID-19 pandemic situation.

2. The writ petition has been filed seeking a mandamus directing the respondents to consider the petitioner's

representation dated 18.01.2014 and take action against the officials of the 4th respondent, who committed the illegal activities on 07.01.2014 of demolishing the petitioner's building in part and to file a report.

3. The allegation of the petitioner is that the officials of the fourth respondent trespassed into his property under the guise of encroachment and demolished the front portion without giving any prior notice. Hence, seeking to take action against the erring officials of the fourth respondent, he gave a representation dated 18.01.2014 to the Revenue Divisional Officer, Kallakurichi marking a copy to the respondents herein. The petitioner further claimed that since he espoused the public cause by bringing it to the notice of the authorities about the land-grabbing made by the private parties, and it led to the demolition of the front portion of his property.

4. Heard the learned counsel appearing on both sides 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 anything on the merits of the representation, directs the fourth respondent to consider representation of the petitioner dated 18.01.2014 and pass appropriate orders on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gg/rsi

1. The District Collector,
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Kallakurichi Taluk,
Villupuram District.

3. Village Administrative Officer,
19, Eamappar Village and Post,
Kallakurichi Taluk, Villupuram District.

4. The Commissioner
Municipality Office,
Kallakurichi.

+1 cc to M/s.A.D.Janardhanan, Advocate Sr.No. 31995

+1 cc to The Government Pleader, Sr.No. 31951

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AJS (CO)
RMP (03/11/2020)



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