

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.18076 of 2020
and W.M.P.No.22457 of 2020

D.Rani Desingu

.. Petitioner

Versus

1.The State of Tamil Nadu
rep.by its Principal Secretary,
Rural Development and Panchayatraj Department,
Fort.St.George, Chennai 600 009.

2.The District Collector,
Salem District, Salem.

3.The Additional Director/Planning Director,
District Rural Development Camp,
Salem.

4.The District Revenue Officer,
The District Revenue Office,
Salem.

5.The President,
Kothampadi Village Panchayat,
Kalpaganur Post,
Attur Taluk, Salem District.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus forbearing the respondents from constructing any building in the Raja Veedhi at Kothampadi Village, Kalpaganur Post, Attur Taluk, Salem District, by considering and passing necessary order on the representation of the petitioner dated 12.10.2020.

For Petitioner : Mr.K.Selvaraj

For RR 1 to 5 : Mr.M.Elumalai
Additional Government Pleader

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.
(through video conferencing)]

The petitioner claims to be the Ex.President of the 5th respondent local body and she submitted a representation dated 10.10.2020 to all the official respondents, stating among other things that new building for the Panchayat Office under MGNREGS scheme, sought to be constructed by way of causing encroachment of Raja Veedhi.

2. The learned counsel appearing for the petitioner would submit that during festival times, the Temple Car used to be taken and in the event of construction of a building of the local body, it would definitely

cause obstruction and other related incidents / accidents and prays for appropriate orders.

3. *Per contra*, Mr.M.Elumalai, learned Additional Government Pleader accepts notice on behalf of the respondents 2 to 4 and on instructions would submit that the petitioner, being the Ex-President, has got an axe to grind against the 5th respondent and the representation submitted by the petitioner would be given a disposal by the Tahsildar, Athur.

4. This Court has considered the rival submissions and also perused the materials placed before it.

5. Though the petitioner prays for a larger relief, this Court in the light of 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, permits the petitioner to submit a representation by enclosing authenticated documents, along with photographs within a period of two weeks from the date of receipt of a copy of this order / uploading of order in the website, to the Tahsildar, Athur, who upon

receipt of the same, shall consider and dispose of the same in accordance with law, after putting on notice the 5th respondent and complete the said exercise within a period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the 5th respondent.

6. The Writ Petition stands disposed of, accordingly. No costs.
Consequently connected miscellaneous petition is closed.

[M.S.N,J] [R.H.J]
11.12.2020

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Internet: Yes /No

Index: Yes/No

To

1. The Principal Secretary,
The State of Tamil Nadu
Rural Development and Panchayatraj Department,
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2. The District Collector,
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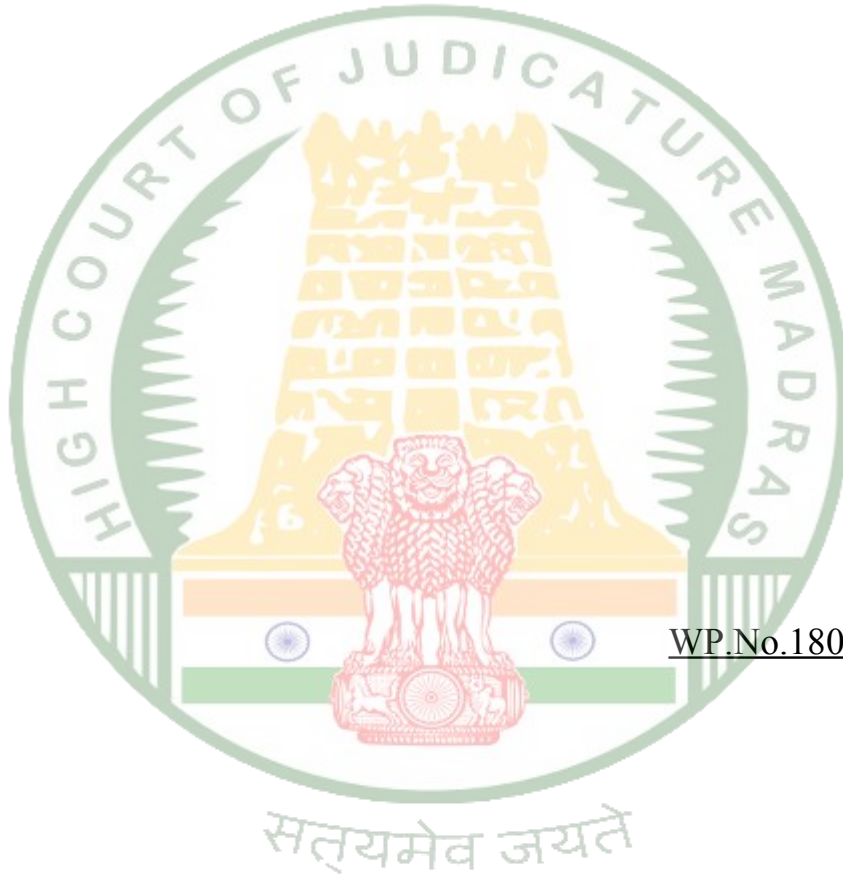


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AND
R.HEMALATHA, J.,

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