

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.19012 of 2020

K.Sangarathal

... Petitioner

Vs.

1. The State Represented by
The District Collector,
District Collectorate Office,
Tiruppur District.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur District.
3. The Inspector of Police,
Gudimangalam Police Station,
Udumalaipet Sub Division,
Tiruppur District.

4. Senthil Kumar

... Respondents

PRAYER: The Writ Petition has been filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 23.11.2020 within a stipulated time as prescribed by this Court.

For Petitioner : Mr.P.Kalimuthu

For Respondents

1 to 3 : Mr.P.V.Selva kumar
Additional Government Pleader

O R D E R

The present Writ Petition has been filed for the issuance of a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 23.11.2020 within a stipulated time that may be fixed by this Court.

2. The learned counsel for the petitioner submits that the petitioner and her husband are senior citizens and they have two children viz., Senthilkumar and Sridha. After their marriage, the petitioner and her husband are residing separately in grove house at Tottampatti, Jallimedu Garden and eking their livelihood by harvesting and selling the coconuts growing in the garden.

3. The learned counsel for the petitioner further submits that the petitioner's son Senthilkumar on the provocation by his wife Rajaveni along with her parents came to the petitioner's place with few rowdy elements and threatened them to give their property to the petitioner's son and they have cut all the coconuts from the petitioner grove, for which, the petitioner already filed several complaints before the third respondent, but, no action was taken by them.

4. He further submits that a suit for permanent injunction in O.S.No.332 of 2017 was filed on the file of the District Munsif, Udumalaipet and the same is pending. While so, on 23.10.2020, the petitioner's son came to her farm and beat her husband and also disconnected the electricity connection. Hence, the petitioner has sent a complaint to the second respondent on 02.11.2020, and again on 23.11.2020, she sent a representation to the first respondent to protect her and their dwelling place and their coconut grove comprised in S.Nos.279/4E, 279/F4, 278/1, 277/3B1 situated in the above-mentioned area. So far, the authorities concerned have not taken any steps on the representation made by the petitioner. Therefore, the present Writ Petition has been filed.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader.

6. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the first respondent/District Collector, Tiruppur District, to consider the petitioner's representation dated 23.11.2020 and pass an order, 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 (4) weeks from the date of receipt of a copy of this order.

With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

asi

To

1. The District Collector,
District Collectorate Office,
Tiruppur District.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur District.
3. The Inspector of Police,
Gudimangalam Police Station,
Udumalaipet Sub Division,
Tiruppur District.

+1 CC to Government Pleader Sr.No.41548

W.P.No.19012 of 2020

MG (CO)
KP (20/01/2021)

WEB COPY