

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.21713 of 2017

A.Fairoze Sharef

... Petitioner

Vs.

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The Tahsildar,
Krishnagiri.

3.The Commissioner,
Krishnagiri Municipality, Krishnagiri.

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the respondents to dispose of the petitioner representation dated 05.06.2017 within a fixed time frame.

For Petitioner : Mr.M.Selvam

For Respondents : Ms.A.Madhumathi,
Special Government Pleader (R1 &
R2)
Mr.D.Suriya Narayanan (R3)

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents to dispose of the petitioner's representation dated 05.06.2017 within a time frame.

2.It is the case of the petitioner that he was evicted from the land in dispute and the house was also demolished by the 3rd respondent. Thereafter, the petitioner has given a representation on 05.06.2017 seeking for assignment of the land, which was taken over by the 3rd respondent.

3.Mr.M.Selvam, learned counsel appearing for the petitioner submitted that the petitioner's representation dated 05.06.2017 has not yet been considered by the 2nd respondent.

4.Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents 1 & 2 submitted that the

petitioner has no right to remain in possession of the property and therefore, the 3rd respondent has rightly evicted him from the property in dispute and also demolished the building.

5.Mr.D.Suriya Narayanan, learned counsel for the 3rd respondent also submitted that the petitioner has no legal right to remain in possession of the property in dispute.

6.In any event, since the petitioner has given a representation on 05.06.2017, the respondents could have passed an order and disposed of the same in accordance with law. In such view of the matter, I direct the 2nd respondent to pass orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7.With these observations, the Writ Petition is disposed of. No costs.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

va

To

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The Tahsildar,
Krishnagiri.

3.The Commissioner,
Krishnagiri Municipality,
Krishnagiri.

+1cc to Mr. D. Suriyan Narayanan, Advocate, SR. No.39621

+1cc to Mr. M. Selvam, Advocate, SR. No.39648

+1cc to the Government Pleader, SR. No.39801

W.P.No.21713 of 2017

SR (CO)

CAA (19/12/2020)