

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2021

CORAM : JUSTICE N.SESHASAYEE

W.P.No.440 of 2019
and
WMP.No.452 of 2019

Logasundaram

... Petitioner

Vs.

1. The District Collector
Erode District.
2. The Revenue Divisional Officer
Gobichettipalayam
Erode District.
3. The Revenue Tahsildar
Bhavani
Erode District.
4. The Executive Engineer
Public Works Department (Ne.Aa.D)
Mettur Dam Division
Mettur.
5. T.N.Rajendran
President
Thottipalayam Primary Agricultural
Co-operative Society Ltd.,
Thottipalayam
Bhavani
Erode District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 4 to remove the Field Bothies formed by them in the petitioner's land having an extent of 1.47 acres in R.S.No.504/4, 5 of Bhavani-B Village, Bhavani Taluk by considering the petitioner's representation dated 3.12.2018 within the time fixed by this Court and consequently forbearing the respondents from disturbing the peaceful possession and enjoyment of the petitioner's land in R.S.No.504/4, 5 in Bhavani-B Village, Erode District by the petitioner.

For Petitioner : Mr.I.C.Vasudevan

For Respondents : Mr.Manigopi
Government Advocate [R1 to R4]

ORDER

The petitioner has preferred a representation on 26.07.2019 to the respondents 1 to 3 to remove the Field Bothies (Koppu Vaikkal) put up in the lands of the petitioners,

2. Heard the learned counsel for the petitioner. Mr.M.Manigopi, learned Government Advocate takes notice for respondents 1 to 4 and made a statement on written instructions that the enquiry for the purpose is scheduled to take place at 3.00 p.m., on 05.03.2021 in the Office of the Revenue Divisional Officer, Gobichettipalayam /second respondent. The said statement is recorded.

3. Inasmuch as the date for enquiry is fixed by the respondents, no direction is required to be given except that the second respondent / Revenue Divisional Officer, Gobichettipalayam is directed to hold an enquiry after issuing notices to all the parties who are likely to be affected by his decision, and after providing the parties a fair and effective hearing and to dispose of the said representation through a speaking order within a period of twelve (12) weeks from the date of service of order copy, subject to such time that may be lost in responsibilities connected with the ensuing General Election of the Tamil Nadu State Legislative Assembly, 2021.

4. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ds

1. The District Collector
Erode District.

2. The Revenue Divisional Officer
Gobichettipalayam
Erode District.

3. The Revenue Tahsildar
Bhavani
Erode District.
4. The Executive Engineer
Public Works Department (Ne.Aa.D)
Mettur Dam Division
Mettur.

+lcc to the Government Pleader, SR.No.10722.

GMI (CO)
CSR 12.03.2021

W.P.No.440 of 2019



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