



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.5068 of 2021

and

W.M.P.No.5645 of 2021

A.S.Ganuba Sah

...Petitioner

Vs

1. The District Collector,
Kanchipuram District,
Kanchipuram.

2. The District Superintendent of Police,
Kanchipuram District,
Kanchipuram.

3. The Commissioner,
Kanchipuram Municipality,
Kanchipuram.

4. A.S.Thulasi Sah

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 09.12.2020 by taking suitable action against the 4th respondent for his unilateral and illegal activities.

For Petitioner : Mr.K.M.Balaji

For R1 & R2 : Mr.P.Chinnadurai, AGP
mR.G.B.Rajesh, GA for R3

ORDER

The relief sought for in this writ petition is to direct the respondents 1 to 3 to consider the petitioner's representation dated 09.12.2020 by taking suitable action against the 4th respondent for his unilateral and illegal activities.



2. According to the petitioner, he owns 1/11th share in his house at No.67, T.S.No.2002 Sheikpet Nadu Street, Kanchipuram Town. A portion of the said house is in possession of his brothers A.S.Thulasi Sah and Dasaratha Sah. His sisters filed a suit in O.S.No.16/2015 before the Principal District Judge, Kanchipuram, for partition, which is pending. While so, the 4th respondent tried to re-open the tiffin centre in the portion under his occupation by doing alteration work, which is causing great inconvenience to all the occupants of the nearby portions. Hence, the petitioner made a representation dated 09.12.2020 to the respondent authorities requesti9ng to take action against the fourth respondent. Finding no response on the same, he has come up with this writ petition for the aforesaid relief.

3. Heard Mr.K.M.Balaji, learned counsel for the petitioner and Mr.P.Chinnadurai, learned Additional Government Pleader taking notice for the respondents 1 and 2 and perused the materials placed before this Court.

4. Considering the limited relief sought herein, this Court, without going into the merits of the case, directs the respondent authorities to consider the petitioner's representation dated 09.12.2020 and pass appropriate orders, on merits and in accordance with law, after giving due opportunity of hearing to the petitioner, 4th respondent and any other interested parties, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mtl

To

1. The District Collector,
Kanchipuram District,
Kanchipuram.



2. The District Superintendent of Police,
Kanchipuram District,
Kanchipuram.

3. The Commissioner,
Kanchipuram Municipality,
Kanchipuram.

+1cc to Mr.K.M.Balaji, Advocate, S.R.No.22213
+1cc to the Government Pleader, S.R.No.22479

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UM(CO)
RGA(19/07/2021)