



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2021

CORAM

THE HON'BLE MR. JUSTICE R.MAHADEVAN

W.P.No.13666 of 2021

G.Kuppusamy

...Petitioner

Versus

1. The Revenue Divisional Officer (R.D.O),
Vaniyampadi Division,
Thirupathur District.

2. Mr.Vadivelu

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to consider the petitioner's representation dated 13.04.2021 within stipulated period and consequently, direct the first respondent to vacate the second respondent from his tenancies premises situated at No.20/A, P.J.Nehru Street, Vaniyampadi Taluk, Tirupathur District.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents : Mr.G.Krishnaraja,
Government Advocate

O R D E R

Mr.G.Krishnaraja, learned Government Advocate takes notice for the first respondent. With the consent of both sides, this Writ Petition is taken up for final disposal, at the stage of admission itself.

2. The present writ petition has been filed by the petitioner seeking a mandamus directing the first respondent to consider his representation dated 13.04.2021 and vacate the second respondent from his premises situated at No.20/A,



P.J.Nehru Street, Vaniyampadi Taluk, Tirupathur District, within a stipulated period.

3. It is the case of the petitioner that he orally entered into a rental agreement with the second respondent, in respect of the subject premises, in the year 2014. Pursuant to the same, the second respondent is running a foot wear shop viz., SRP FOOT WEAR in the said premises, without obtaining any valid license from the Municipal Authorities and he also failed to pay monthly rent, which compelled the petitioner to ask him to vacate the subject premises, however, he refused to do so. Further, on 09.04.2021, the second respondent attempted to construct a wall before the said premises. Therefore, on 10.04.2021, the petitioner lodged a complaint against the second respondent before the Inspector of Police, Vaniyambadi Town Police Station, who in turn, after conducting enquiry, instructed him to approach the appropriate forum. Following the same, the petitioner sent a representation on 13.04.2021 to the first respondent requesting to evict the second respondent from the subject premises. Finding no response on the same, the petitioner has filed the present writ petition for the relief stated supra.

4. Heard the learned counsel on both sides and perused the materials placed before this Court.

5. Considering the limited prayer made by the petitioner, this Court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 13.04.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as the second respondent, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

mrr



To

The Revenue Divisional Officer (R.D.O),
Vaniyampadi Division,
Thirupathur District.

+1cc to the Special Government Pleader, S.R.No.31428

+1cc to Mr.T.V.G.Kartheeban, Advocate, S.R.No.30632

W.P.No.13666 of 2021

RP (CO)
RLP (30/07/2021)