

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.04.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 10594 of 2021

S.Jayamanju

... Petitioner

Vs.

1. The District Collector
District Collectorate
Coimbatore - 641 018.
2. The Block Development Officer
Sulur Block
Sulur, Coimbatore.
3. The Thasildar
Sulur Taluk
Sulur, Coimbatore.
4. The Village Administrative Officer
Neelambur Village
Coimbatore.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Second Respondent to consider the Petitioner's representation dated 26.12.2020.

For Petitioner : Mr. M.Narayanaswamy

For Respondents: Mr. M.D.Ilayaraja (R1, R3 & R4)
Government Advocate

Mr. K.K.Ramesh (For R2)
Government Advocate

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O R D E R

Heard Mr.M.Narayanaswamy, Learned Counsel for the Petitioner, Mr.M.D.Ilayaraja, Learned Government Advocate, who takes notice for the First, Third and Fourth Respondents and Mr. K.K.Ramesh, Learned Government Advocate, who takes notice for the Second Respondent.

2. According to the Petitioner, her father had settled his 1/3rd share in the property in S.F.Nos.553/1C, 553/1D Part, 553/1E Part, 554/5, 554/6A Part, 556/1/2A, 556/1/3A and 557/5A, Neelambur Village, Sulur Taluk, Coimbatore District, to the petitioner as well as her sister vide release deed bearing Document No.256/2014 dated 10.01.2014. Thereafter, the petitioner and her sister have been in absolute possession of the said property. It is the further case of the petitioner that there is a Government Poramboke land in S.F. No. 935 /27 situated to the western side of the subject property and the Neelambur Panchayat made a 30 feet concrete road in the said poramboke land for the usage of general public. The petitioner has also been using the said road to access to her land from the time immemorial. It is the grievance of the petitioner that the adjoining residents of the said Poramboke land situated in S.F. No. 935/27 have encroached the said land including 30 feet concrete road formed by the Panchayat and also blocked the usage of the said road. Several attempts taken by the petitioner to prevent such illegal encroachments, ended in vain. Hence, she made a representation dated 26.12.2020 to the Respondents requesting to inspect the land in S.F. No. 935/27, Neelambur Village and conduct enquiry and remove the encroachments. Since no action was taken, the petitioner has come up with this writ petition seeking a direction to the respondents to consider the said representation.

3. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 26.12.2020 and pass appropriate orders, on merits and in accordance with law, after providing sufficient opportunity to all the Parties, within a period of six (6) weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition stands disposed of. No costs.

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Sd/-
Assistant Registrar(CS III)
//True Copy//

Sub Assistant Registrar

Maya

To

1. The District Collector
District Collectorate
Coimbatore - 641 018.
2. The Block Development Officer
Sulur Block, Sulur, Coimbatore.
3. The Thasildar, Sulur Taluk
Sulur, Coimbatore.
4. The Village Administrative Officer
Neelambur Village
Coimbatore.

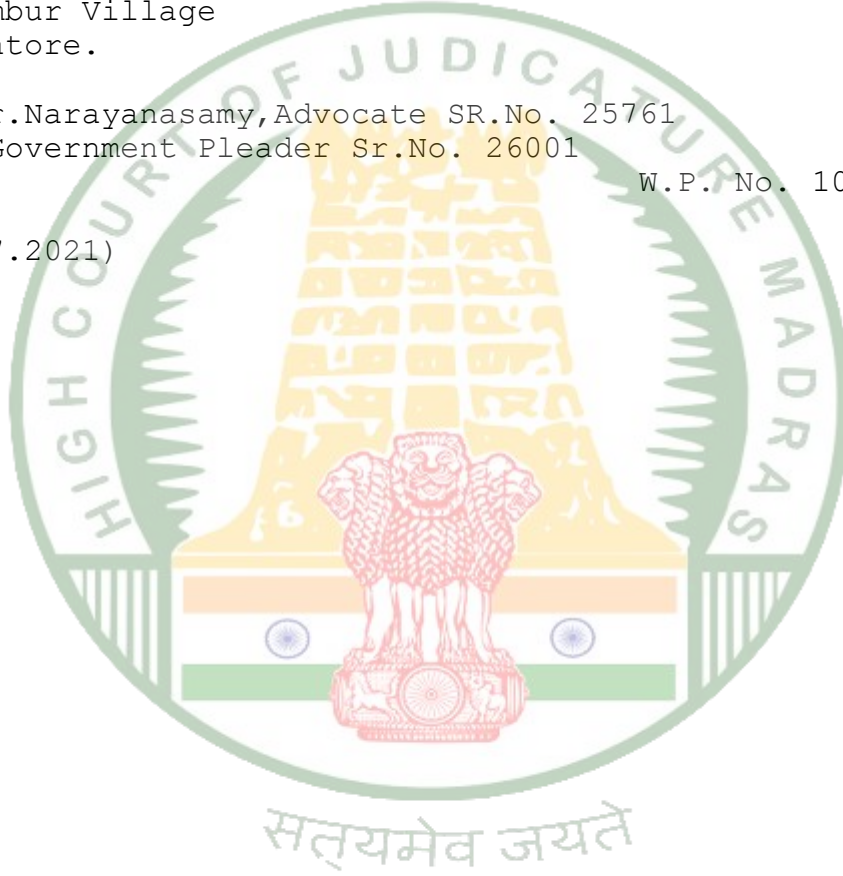
+1cc to Mr.Narayanasamy, Advocate SR.No. 25761

+1 cc to Government Pleader Sr.No. 26001

W.P. No. 10594 of 2021

MG (CO)

A.SK (09.07.2021)



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