



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P. No. 13279 of 2021

Elango

... Petitioner

Vs

1. The Director
Office of the Municipal Administration
No.75, Santhome High Road
Chennai - 600 028.
2. The District Collector
Office of the Collectorate
Krishnagiri
Krishnagiri District.
3. The District Town and Country Planning Officer
Netaji Hosur
Krishnagirim District 635 001.
4. The Commissioner
Municipal Officer
Gandhi Road
Krishnagiri Taluk & District.
5. The Tahsildar
Krishnagiri Taluk
Krishnagiri District - 635 001.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents 2 to 5 herein to consider the Petitioner representation dated 14.04.2021 and consequently take a suitable action based upon the Petitioner's representation.



WEB COPY

For Petitioner : Mr. R.Ramesh

For Respondents : Mrs. R.Anitha
State Government Counsel
(For R1 to R3 & R5)

Mr. P.Balathandayutham
State Government Counsel (For R4)

O R D E R

(Order of the court was made by N.KIRUBAKARAN.J.,)

The matter was heard through "Video Conference".

2. The Petitioner is residing at No. 32/49, Poonthottam, Krishnagiri Town, Krishnagiri District - 635 001. There are about 300 families residing there, by constructing houses in that village and the Petitioner is one among them. According to the Petitioner, Private Respondents /Sixth and Seventh Respondents, who are encroachers, encroached upon the public road bearing Block No.10, Ward No. C in that village. Therefore, the Petitioner made a representation on 14.04.2021 to the Second to Fifth Respondents. However, neither action has been taken against the Respondent nor any reply has been received on the representation/complaint made by the Petitioner, which compelled him to approach this Court.

3. Heard Mr. R.Ramesh, Learned Counsel for the Petitioner and Mrs. R.Anitha, Learned State Government Counsel, who takes notice for the First to Third and Fifth Respondents and Mr. P.Balathandayutham, Learned State Government Counsel, who takes notice for the Fourth Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

4. Since the Petitioner made a representation / complaint to the Second to Fifth Respondents that the Private Respondents have encroached upon the aforesaid public road and putting up construction on 14.04.2021, it is appropriate to direct the Fourth and Fifth Respondents to cause a joint inspection of the property based on the Petitioner's representation.

5. In view of that, the Fourth and Fifth Respondents are directed to cause joint inspection of the property, based on the representation /complaint made by the Petitioner, after giving notice to the Petitioner as well as Sixth and Seventh Respondents and pass appropriate orders on merits as per law, after affording an opportunity of personal hearing to them, within a period of twelve weeks from the date of receipt of a copy of this Order. It is made clear that no action shall be taken against the Private Respondents, without issuing notice



and affording an opportunity of personal hearing to them. If any order is passed it would amount to contempt of court.

6. With the above directions, this Writ Petition is disposed of. No costs.

WEB COPY

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Maya

To

1. The Director
Office of the Municipal Administration
No.75, Santhome High Road
Chennai - 600 028.
2. The District Collector
Office of the Collectorate
Krishnagiri
Krishnagiri District.
3. The District Town and Country Planning Officer
Netaji Hosur
Krishnagirim District 635 001.
4. The Commissioner
Municipal Officer
Gandhi Road
Krishnagiri Taluk & District.
5. The Tahsildar
Krishnagiri Taluk
Krishnagiri District - 635 001.

+1cc to Mr. R.Ramesh, Advocate, S.R.No.29470

+1cc to the Government Pleader, S.R.No.29749

W.P. No. 13279 of 2021

VSN-II(CO)
HS(22/07/2021)