



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.14466 of 2021

R.Subramanyam

... Petitioner

Vs

1. The District Collector,
Tiruppur District,
Tiruppur.
2. The Commissioner of Police,
Tiruppur.
3. The District Revenue Officer,
Tiruppur District,
Tiruppur.
4. The Tahsildar,
Avinashi Taluk,
Tiruppur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the respondents or their subordinates from putting up construction in S.F.No.223/1 situate at Rakkiapalayam Village, Avinashi Taluk, Tiruppur District, which is classified as "Mandhai" (grazing lands) for the purpose of setting up Thirumuruganpoondi Police Station.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.P.Muthukumar
Counsel for the State



ORDER

(Order of the Court was made by Senthilkumar Ramamoorthy, J.)

The petitioner seeks to prevent construction of a police station in S.F.No.223/1, Rakkiapalayam Village, Avinashi Taluk, Tiruppur District.

2. The petitioner states that the lands in S.F.No.223/1 are classified as "Mandhai (grazing lands) in the relevant revenue records. It is further stated that the people of Rakkiapalayam Village have used the said lands for grazing cattle and for drying the dyed yarns for a considerable period of time. In November, 2019, the villagers came to know that there was a proposal to construct a police station at S.F.No.223/1. Immediately, objections were sent to the official respondents. In spite of such objections, it is stated that preliminary work in relation to the foundation was commenced on or about June, 2021. The writ petition is filed in these facts and circumstances.

3. Mr.P.Muthukumar, learned counsel for the State, accepts notice on behalf of all the respondents and states that the District Revenue Officer took a decision to use the said lands for purposes of construction of a police station although the said lands are classified as "Mandhai". Therefore, he states that the representation of the petitioner would be considered by the District Collector, Tiruppur.

4. Accordingly, without going into the merits of the matter, the petitioner is permitted to carry a fresh representation to the first respondent herein within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the first respondent is directed to consider such representation and dispose of the same by a reasoned order after providing a reasonable opportunity to all parties affected thereby. Such reasoned order shall be passed within a period of eight weeks from the date of receipt of the representation.

5. W.P.No.14466 of 2021 is disposed of on the above terms. There will be no order as to costs. Consequently, W.M.P.No.15350 of 2021 is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Tiruppur District,
Tiruppur.
2. The Commissioner of Police,
Tiruppur.
3. The District Revenue Officer,
Tiruppur District,
Tiruppur.
4. The Tahsildar,
Avinashi Taluk,
Tiruppur District.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.33344

W.P.No.14466 of 2021

VSN-II (CO)
PM(28/07/2021)