



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.16333/2021

[Video Conferencing]

J.Jayanthi

... Petitioner

Versus

1. The Revenue Divisional Officer
The District collectorate building
Salem District.
2. The Deputy Superintendent of Police
Valapady Sub Division,
Valapady, Salem District.
3. The Inspector of Police
Valapady Police Station
Valapady, Salem District.

4.M.Rani

5.M.Karthik

... Respondents

Prayer : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to conduct an enquiry in respect of land to an extent of 605 sq.feet comprised in survey No.345/22 situated at Polur village, Valapady Taluk, Salem district and to pass a suitable order within a stipulated time by considering the petitioner's representation dated 25.06.2021.

For Petitioners : Mr.N.Vijay Basker for
Law Vision

For RR 1 to 3 : Mr.Yogesh Kannadasan
Government Advocate

ORDER

- (1) Mr.Yogesh Kannadasan, learned Government Advocate accepts notice on behalf of the respondents 1 to 3.
- (2) The petitioner claims that she has been in possession of the land to an extent of 605 sq.ft., in S.No.345/22 at



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Polur Village at Valapady Taluk, Salem District. Unfortunately, her husband passed away in the year 2018 and thereafter, respondents 4 and 5 appear to have taken some coercive steps to enter into the said property. They have also claimed rights. The petitioner not knowing what to do, had given a complaint to the 3rd respondent / Inspector of Police, at Valapady Police Station who had assigned CSR.No.408/2020 on 15.12.2020. The petitioner understands that the 3rd respondent had forwarded the complaint to the 1st respondent/Revenue Divisional Officer at Salem District. The petitioner had not received any further communication from the 1st respondent, necessitating her to give a representation to the 1st respondent to conduct an enquiry, This representation was given on 25.06.2021. Since no further action had been taken, even pursuant to such representation, the present writ petition has been filed in the nature of a mandamus, seeking a direction against the 1st respondent to conduct and enquiry with respect to the grievances raised by the petitioner in the representation dated 25.06.2021.

- (3) An obligation is placed on the 1st respondent to issue notice not only to the petitioner but also to respondents 4 and 5 who appear to have claimed rather some right over the said property/land.
- (4) It is insisted by the learned counsel for the petitioner that the 1st respondent may be directed to complete the enquiry within a specified period of time as threats to the petitioner only keep increasing.
- (5) A direction is therefore, given to the 1st respondent to enquire into the representation by issuing notice to the petitioner and to respondents 4 and hear them and if it is within his jurisdiction, take necessary action, else, direct the petitioner and respondents 4 and 5 to approach the appropriate jurisdictional authority who can redress the grievance of the petitioner. The said exercise should be completed within a period of twelve weeks from the date of receipt of a copy of this order.
- (6) The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

AP



To

1. The Revenue Divisional Officer
The District collectorate building
Salem District.

2. The Deputy Superintendent of Police
Valapady Sub Division,
Valapady, Salem District.

3. The Inspector of Police
Valapady Police Station
Valapady, Salem District.

+1cc to the Government Pleader, S.R.No.39095

WP.No.16333/2021

GPL (CO)
CT (24/08/2021)