



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN
AND
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P. No. 27165 of 2021

Ravi Shanmugam

.. Petitioner

Versus

1. The District Collector
Collectorate
Vengikkal
Tiruvannamalai District
@ Tiruvannamalai 606604
2. The Revenue Divisional Officer
Tiruvannamalai District
@ Tiruvannamalai 606604
3. The Tahsildar
Tiruvannamalai District
@ Tiruvannamalai 606604
4. V. Venkatesan @ Tirupati Balaji

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 3 herein to consider and pass orders on the petitioner's representation dated 20.09.2021 within a stipulated time as deemed fit and proper by this court.

For Petitioner : Ms. Swathi
for Mr.R.Prem Narayan

For Respondents : Mr. Alagu Goutham
Government Advocate for R1-R3

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

The petitioner has filed this writ petition praying to issue a Writ of Mandamus directing the respondents 1 to 3 herein



to consider and pass orders on his representation dated 20.09.2021, within a stipulated time as deemed fit and proper by this court.

2. According to the petitioner, he is an Advocate by profession. He purchased a land at Plot Nos.172, 173 & 174, Ramana Maharishi 3rd Street, Rajiv Gandhi Nagar, Tiruvannamalai Town on 24.11.2014. When the petitioner is having clear title and is in possession of the said land, one Mr.V.Venkatesan @ Tirupati Balaji, a history sheeter with a track record of grabbing lands, encroaching government poramboke and private lands, made illegal encroachment of the petitioner's land and the adjoining patta land, poramboke lands and Vaira Kundru Mountain by construction of a house and cow shed and that, his legal heirs and servants are continuing the said illegal occupation and causing nuisance to all the residents of Rajiv Gandhi Nagar. Therefore, the petitioner submitted a detailed representation on 20.09.2021 to the official respondents, requesting to remove the said illegal construction. Finding no response on the said representation, the petitioner is before this court with this writ petition for the aforesaid relief.

3. Heard the learned counsel for the petitioner, who submitted that inspite of the detailed representation made by the petitioner, the official respondents have not acted upon and taken steps to remove the illegal encroachment made by the fourth respondent in the Government poramboke lands and adjoining patta lands of others as well as the petitioner's southern side of the property. Therefore, the learned counsel prayed for appropriate direction to the respondent authorities to look into the issue and clear the said illegal encroachment by considering the petitioner's representation dated 20.09.2021.

4. On the other hand, the learned Government Advocate taking notice for the respondents 1 to 3 fairly submitted that the respondent authorities would conduct an inspection in the presence of all the parties concerned and thereafter, take a decision, on the petitioner's representation, on merits and as per law.

5. Considering the nature of the relief sought herein, this court, without going into merits of the case, directs the respondents 1 to 3 to consider the representation of the petitioner dated 20.09.2021, conduct an enquiry, afford an opportunity of hearing to the petitioner, fourth respondent as well as any other interested parties, consider the documentary evidence that may be submitted by them, and pass orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



6. costs.

Accordingly, this writ petition stands disposed of. No

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Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

dhk/rsh

To

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@ Tiruvannamalai 606604
2. The Revenue Divisional Officer
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3. The Tahsildar
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@ Tiruvannamalai 606604

+lcc to Mr.R.Prem Narayan, Advocate, S.R.No.68938
+lcc to the Government Pleader, S.R.No.69049

W.P. No. 27165 of 2021

SRA(CO)
CT 25/01/2022