



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.7924 of 2021

R.Ramesh

...Petitioner

Vs.

1. The District Collector,
Collectorate, Trichy District.

2. The District Revenue Officer,
Trichy.

3. The Revenue Divisional Officer,
Musiri, Trichy District.

4. The Tahsildar,
Taluk Office, Thuraiyur Taluk,
Trichy District.

5. Manoharan

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to enquire and to cancel the No Objection Certificate issued to the fifth respondent to enquire on the communication dated 16.02.2018 in Na.Ka.A2/5625/2017, referred by the fourth respondent based on the petitioner's representation dated 09.03.2021

For Petitioner : Mr.N.Mohan

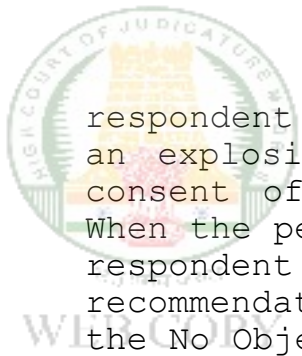
For R-1 to R-4 : Mr.M.Rajarajan

Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the third respondent to act upon the representation made by the petitioner on 09.03.2021, wherein, the petitioner has objected to the issuance of the No Objection Certificate in favour of the fifth respondent in order to locate an explosive godown in the subject property.

2. It is seen from records that the petitioner and the fifth respondent, who are brothers, are joint owners of the subject property. The grievance of the petitioner is that the fifth



respondent has managed to get a No Objection Certificate to locate an explosive godown in the subject property even without getting consent of the petitioner, who is the co-owner of the property. When the petitioner made a representation in this regard, the fourth respondent by his communication, dated 16.02.2018, forwarded his recommendation to the third respondent by specifically citing that the No Objection Certificate has been issued without getting consent of the petitioner. The grievance of the petitioner is that the third respondent has not acted upon this communication made by the fourth respondent. The petitioner made a further representation on 09.03.2021 in this regard and the same also did not evoke any response. Left with no other alternative, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.N.Mohan, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader appearing for the respondents 1 to 4.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the third respondent to act upon the representation made by the petitioner on 09.03.2021 after affording opportunity to the petitioner and the fifth respondent and shall pass appropriate orders, strictly in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the third respondent along with all the relevant documents and a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

To

1. The District Collector,
Collectorate, Trichy District.

2. The District Revenue Officer,
Trichy.



3. The Revenue Divisional Officer,
Musiri, Trichy District.

4. The Tahsildar,
Taluk Office, Thuraiyur Taluk,
Trichy District.

WEB COPY

+1 CC to M/s.SPL GP (SR-16333[F] dated 17/04/2021)

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

Order made in
W.P. (MD) .No.7924 of 2021

Dated:

16.04.2021

RK (26.04.2021) 3P 6C