



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2021

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.9769 of 2021

Vellaisamy

... Petitioner

vs.

1.The Revenue Divisional Officer,
Palani, Dindigul District.

2.The Tashildar,
Taluk Office,
Vedachanthur,
Dindigul District.

3.The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.

4.Chinnadurai

5.Lakshmanan

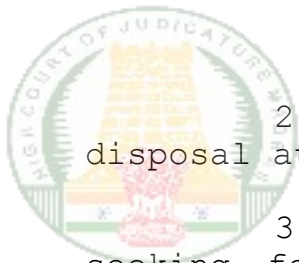
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the 1st respondent to take action U/s.133(1)(d) of Cr.P.C., and remove the "Big Karuvel Tree" which is standing south side of the petitioner's Tiled House, situated at Ambalakaranpatti Village, Pojanampatti (Post), Vadamadurai, Vedachanthur Taluk, Dindigul District as it is likely to fall on the petitioner's Tiled House and causes injury to his family and damage to his tiled house.

For Petitioner	: Mr.Murugappan.R
For Respondents	: Mr.P.Thilak Kumar, Standing Counsel for R1 to R3.

ORDER

Mr.P.Thilak Kumar, learned Standing Counsel accepts notice on behalf of the respondents 1 to 3. Considering the nature of relief to be granted in this writ petition, notice to the respondents 4 and 5 is dispensed with.



2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, to direct the 1st respondent to take action U/s.133(1)(d) of Cr.P.C., and remove the "Big Karuvel Tree" which is standing south side of the petitioner's Tiled House, situated at Ambalakaranpatti Village, Pojanampatti (Post), Vadamadurai, Vedachanthur Taluk, Dindigul District as it is likely to fall on the petitioner's Tiled House and causes injury to his family and damage to his tiled house.

4. The learned counsel for the petitioner would state that it would be suffice if a direction is given to the respondents to dispose of the representation of the petitioners.

5. The learned standing counsel appearing for the respondents would state that the representation of the petitioner would be considered within a reasonable time.

6. Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, the first respondent is directed to dispose of the representation of the petitioner, dated 10.05.2021, on merits and in accordance with law after putting the respondents 4 and 5 on notice, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar

Note: (i) 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.

To:

1.The Revenue Divisional Officer,
Palani, Dindigul District.



2.The Tashildar,
Taluk Office,
Vedachanthur,
Dindigul District.

3.The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.

+1 CC to M/s.SPL GP (SR-18953[F] dated 07/06/2021)

W.P. (MD) No.9769 of 2021
04.06.2021

AS (11.06.2021) 3P 5C