

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.No.2047 of 2022

G.Nachiyappan

... Petitioner

vs

1. The District Collector,
O/o.District Collector,
Salem District-636 001.
2. The Tahsildar,
O/o Omalur Taluk Office,
Salem District - 636 455.
3. The Executive Officer,
O/o Karuppur Town Panchayat,
Omalur Taluk,
Salem District - 636 012.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents to consider the petitioner's representation dated 03.07.2021 seeking to take appropriate action against the encroachment and blocking the streets in S.Nos.4AID, 4AIK & 4A2K of Indira Nagar, Karuppur Town Panchayat.

For Petitioner : Mr.J.Rajmohan

For Respondents : Mr.A.Selvendran,
Special Government Pleader
for R1 and R2

Mr.Baladhandapani,
Special Government Pleader for R3

ORDER

[Order of this Court was delivered by T.RAJA, J.]

The petitioner has come to this Court for issuance of a writ of mandamus seeking a direction to the respondents to consider his representation dated 03.07.2021 and to take appropriate action against the encroachment and blocking of the streets in S.Nos.4AID, 4AIK & 4A2K of Indira Nagar, Karuppur Town Panchayat.

2.The claim of the petitioner shows that the petitioner and others are doing cultivation in patta land comprised in S.No.162 of Karuppur Town Panchayat and to approach the said land, the petitioner and others are using three streets in Indira Nagar, comprised in S.Nos.169/4AID, 4AIK and 4A2K and the same is the only way to approach the said land. While so, some of the persons have blocked the three streets with hollow blocks at the ends of the streets in order to restrict their way to approach their fields. When the Primary Health Centre and Town Panchayat office of Karuppur is situated in S.No.169, there are two streets leading to the above said health centre and the Panchayat Office in S.Nos.169/4AID and 169/4A2K are widening 7.2 meters road, which was encroached on two sides of the said road. Therefore, the petitioner has sent a representation dated 03.07.2021 to the respondents herein in this regard. Since there was no action, he is before this Court.

3.Learned Special Government Pleader appearing for R1 and R2 submitted that a direction be issued to the Block Development Officer, Karuppur Town Panchayat, Omalur Taluk, Salem District to consider and pass orders on the representation made by the petitioner, within a period of four weeks.

4.Heard both sides.

5.Considering the submission made by both sides, we are inclined to issue suitable direction to the Block Development Officer, Karuppur Town Panchayat, Omalur Taluk, Salem District to consider and pass orders on the representation made by the petitioner. Accordingly, the Block Development Officer, Karuppur Town Panchayat, Omalur Taluk, Salem District is directed to consider the representation made by the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after issuing notice to the necessary parties concerned.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vga

To

1. The District Collector,
O/o.District Collector,
Salem District-636 001.
2. The Tahsildar,
O/o Omalur Taluk Office,
Salem District - 636 455.
3. The Executive Officer,
O/o Karuppur Town Panchayat,
Omalur Taluk,
Salem District - 636 012.
4. The Block Development Officer,
Karuppur Town Panchayat,
Omalur Taluk, Salem District

+1cc to Mr.J.Rajmohan, Advocate, S.R.No.14304
+1cc to the Government Pleader, S.R.No.14568

W.P.No.2047 of 2022

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