



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.4882 of 2022
and
W.M.P.No.5001 of 2022

Dr.Vaiyapuri Shankar

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Dharmapuri - 636 705.
 2. The Revenue Divisional Officer,
Gandhi Nagar,
Dharmapuri - 636 701.
 3. The Director,
National Commission for Scheduled Caste,
Shastri Bhawan,
Nungampakkam, Chennai-6.
 4. The Superintendent of Police,
Office of the District Superintendent of Police,
Dharmapuri.
- ... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a writ, order or direction or any other writ in nature of a Writ of Mandamus directing the respondents to dispose the petitioner's representation dated 26.11.2021 and to conduct detailed enquiry to remove the untouchability fence permanently.

For Petitioner: Mr.Krishnasamy Chinnasamy

For R1 to R3 : Mr.Mohamed Sathik
Government Advocate.

For R4 : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

O R D E R

The Writ Petition has been filed seeking to direct the respondents to dispose the petitioner's representation dated 26.11.2021 and to conduct detailed enquiry to remove the



untouchability fence permanently.

2. It is the case of the petitioner that he belongs to the Scheduled Caste community and he had purchased the land to the extent of two acres during the year 2010 and there is a pathway which connects the Panchayat road and his agricultural land. Whereas, one Sai Kannan, neighboring land owner, who belongs to other community has blocked the way, by putting up the fence and prevented the petitioner from going to his land. Due to which, the petitioner had given a representation to the Respondents to remove the untouchability fence and since, no action has been taken, the present petition has been filed.

3. The learned Government Advocate would submit that the petitioner is a Medical Doctor and there seems to be a dispute between the petitioner and the adjacent land owner with regard to boundaries. With regard to the complaints given by the petitioner, the respondents have registered four cases viz., F.I.R Nos.295 of 2016, 404 of 2021, 410 of 2021 and 31 of 2022. He would also submit that since, it is a land dispute between the parties which was likely to cause breach of peace, the matter has been referred to the Revenue Divisional Officer for enquiry. However, the respondents will conduct enquiry and dispose of the representation of the petitioner dated 26.11.2021, at the earliest.

4. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate for R1 to R3 and the learned Additional Public Prosecutor for R4 and perused the materials available on record.

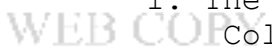
5. In view of the above, the direction is issued to the respondents to dispose the petitioner's representation dated 26.11.2021 as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. However, it is made clear that this Court has not expressed any opinion with regard to the merits of the petitioner's representation and the respondents shall independently deal with the representation.

6. Accordingly, the Writ Petition stands disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar



To

- W.P.No.4882 of 2022
and W.M.P.No.5001 of 2022

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