

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.6573 of 2022

R.Anand

...Petitioner

Vs

1.The District Collector,
Nilgiris District.

2.The District Revenue Officer,
Ooty, Nilgiris District.

3.The Revenue Divisional Officer,
Coonnur, Nilgiris District.

4.The Tahsildar,
Kothagiri, Nilgrish District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus forbearing the respondents from interfering the petitioner's lawful business activities for operating the mini kubotta vehicles in Kothagiri, Nilgiris District for doing agricultural work as per representation dated 14.01.2022 within stipulated time fixed by this Court.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.K.H.Ravikumar
Government Advocate

ORDER

This writ petition has been filed for a mandamus to forbear the respondents from interfering with the petitioner's lawful business activities for operating Mini Kubotta vehicles in Kothagiri, Nilgiris District for doing agricultural work based on the petitioner's representation dated 14.01.2022 within the time framed to be fixed by this Court.

2. The petitioner claims that he is using Mini Kubotta vehicles in Kothagiri, Nilgiris District only for agricultural

purposes. However, according to him, the respondents are interfering with its usage on the ground that the same is being used for non-agricultural purpose. The petitioner has given a representation to the respondents on 14.01.2022 to forbear the respondents from interfering with the usage of his vehicles for agricultural purpose. Since the representation has not been considered till date, he has filed this writ petition.

3. Heard Mr.B.Gopalakrishnan, learned counsel for the petitioner and Mr.K.H.Ravikumar, learned Government Advocate for the respondents.

4. On instructions, learned Government Advocate for the respondents would submit that the petitioner is using the aforementioned vehicles for non-agricultural purpose whereas the said vehicles can be used for the agricultural purpose only. However, the same is disputed by the learned counsel for the petitioner and he would categorically contend that the petitioner is using the vehicles only for agricultural purposes. No prejudice would be caused to any of the parties if the petitioner's representation referred to supra is considered on merits and in accordance with law after affording an opportunity of fair hearing to the petitioner, including granting him the right of personal hearing.

5. For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation dated 14.01.2022 to forbear the respondents from interfering with the usage of Mini Kubotta Vehicles in Kothagiri, Nilgiris District and pass final 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.

6. With the above said observation, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

ssm

To

- 1.The District Collector,
Nilgiris District.
- 2.The District Revenue Officer,
Ooty, Nilgiris District.

3.The Revenue Divisional Officer,
Coonnur, Nilgiris District.

4.The Tahsildar,
Kothagiri, Nilgris District.

+1cc to Mr.B.Gopalakrishnan, Advocate Sr.No.44150

+1cc to the Government Pleader Sr.No.45114

W.P.No.6573 of 2022

SKM(CO)
RVM(25/07/2022)