

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.26231 of 2022

Deivani
Panchayat Board President,
Silambinathanpettai,
Mariyamman Koil Street,
Pathirakottai Village and Post,
Panruti Taluk,
Cuddalore District.

.. Petitioner

Vs

- 1.The Commissioner,
Revenue Department,
Chepauk, Chennai-600 005.
- 2.The District Collector,
Cuddalore District.
- 3.The Revenue Divisional Officer,
Cuddalore, Cuddalore District.
- 4.The Tashildar,
Panruti Taluk, Panruti,
Cuddalore District.

5.The Block Development Officer (VP),
Regional Panchayat, Panruti,
Cuddalore District.

6.The Sub-Registrar,
Office of the Sub-Registrar,
Kullamchavadi,
Cuddalore District.

7.Rajasree

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India
praying for a writ of mandamus directing the second respondent to
dispose of the representation made by the petitioner dated 8.2.2022.

For the Petitioner : Mr.A.N.Rajan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1 to 6

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

Mrs.Deivani, wife of Singaravel, a resident of
Silambinathanpettai, Mariyamman Koil Street, Pathirakottai Village,
Panruti Taluk, Cuddalore District, has filed this writ petition for

issuance of a writ of mandamus directing the second respondent to dispose of the representation of the petitioner dated 8.2.2022.

2. The petitioner claimed that after she was elected as President of Silambinathanpettai and took charge, she made arrangements for facilitating drinking water to the poor people of Scheduled Castes and Scheduled Tribes and had also taken steps to lay pipelines to supply water to the village people. The petitioner stated that she also made arrangement to lay a road for the people living in Ambedkar Nagar, who are affected by the 7th respondent to have access to the grave yard, hospital and school. The petitioner also stated that the 7th respondent and her husband Jayabalan have obstructed the work of laying pipe lines, which were arranged to Ambedkar Nagar and after protest, the pipe lines are now connected to the public.

3. According to the petitioner, without obtaining approval from Sembianathanpettai Panchayat Board, the 7th respondent has constructed Cashewnut factory in Government poramboke land and

by obstructing the road, the 7th respondent and her husband Jayabalan have constructed a compound wall, thereby preventing the school students, farm workers and farmers from passing through the said road.

4. It is stated that one Maharajothi of Pathirakottai and others have given a representation to the Revenue Divisional Officer, Cuddalore to remove the compound wall constructed by the 7th respondent. It is also stated that Silaminathanpettai Panchayat has not accorded sanction for construction of the Cashewnut factory by the 7th respondent and her husband.

5. According to the petitioner, on 8.2.2022, a representation was sent to the District Collector for removal of the illegal construction of Cashewnut factory made by the 7th respondent and her husband and the said representation has not been considered till date. It is stated that the petitioner has also filed an appeal before the Revenue Divisional Officer, Cuddalore for cancellation of patta illegally obtained by the 7th respondent and her husband.

Since the representation of the petitioner dated 8.2.2022 has not been considered by the second respondent till date, she has come forward to file the present writ petition.

6. Learned Government Pleader appearing for respondents 1 to 6 submitted that the fourth respondent Tahsildar is the competent authority to consider the representation of the petitioner and the petitioner has not marked or sent any representation to the fourth respondent till date. If the petitioner submits a fresh representation to the fourth respondent, the fourth respondent is ready to consider the same and pass orders within the stipulated time.

7. Recording the submission made by learned Government Pleader, we hereby direct the petitioner to submit a fresh representation along with this order to the fourth respondent – Tahsildar, Panruti Taluk within a period of four weeks from the date of receipt of a copy of this order. Upon receipt of the same, the fourth respondent is directed to consider the same and pass orders

on merits and in accordance with law, within a period of four weeks thereafter, after hearing all concerned.

8. With the above observation, the writ petition is disposed of.
There will be no order as to costs.

(T.R., ACJ.) (D.K.K., J.)
29.09.2022

Index : Yes/No
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