



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.28408 of 2021

A.Vinayagam

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Cuddalore District,
Cuddalore.
2. The Tahsildar,
Office of the Taluk Office,
Kattumannarkudi - 608 301.
3. The Executive Officer,
Town Panchayat Office,
Double Street,
Kattumannarkoil - 608 301.
4. The Inspector of Police,
Kattumannarkoil Police Station,
Kattumannarkoil - 608 301.
5. The President,
Auto Drivers and Owners Association,
South Street,
Udayarkudi,
Kattumannarkoil - 638 301.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent to dispose of the petitioner's representation dated 30.09.2021 pending with him, seeking to direct the subordinate officials ordering them to remove the thatched shed put up by the 5th respondent in front of petitioner's building with Door No.43, South Street, Udayargudi, Kattumannarkoil.



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For petitioner : Mr.A.Murugan
For respondents : Mr.R.Siddharth
Govt. Advocate for R1, R2 & R4
Mrs.R.L.Karthika
Govt. Advocate for R3

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM,J)

Mr.R.Siddharth, learned Government Advocate takes notice for respondents 1, 2 and 4. Mrs.R.L.Karthika, learned Government Advocate takes notice for third respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

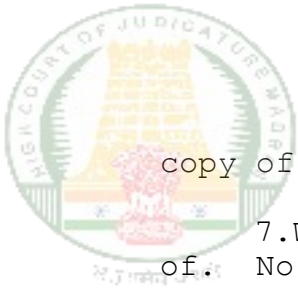
2.The petitioner has come up with this writ petition for issuance of a Writ of Mandamus to direct the first respondent to dispose of his representation, dated 30.09.2021.

3.The petitioner would state that he is the owner of the building Door No.43, South Street, Udayargudi, Kattumannarkoil and he has let out the building to a tenant, namely, Jiavudean. The grievance of the petitioner is that the fifth respondent have put up a thatched shed in front of his building obstructing the free flow of access to the said building. Hence, he sent legal notices on 01.03.2021 and 03.03.2021 and thereafter, made representations dated 19.08.2021 and 30.09.2021 to the official respondents for removal of encroachment, but so far no action was taken.

4.The learned Government Advocate appearing for the respondents 1, 2 and 4 Mr.R.Siddharth submitted that the third respondent is the competent authority to consider the grievance of the petitioner.

5.The learned Government Advocate appearing for the third respondent Mrs.R.L.Karthika submitted that a notice dated 22.07.2021 was issued to the fifth respondent for removal of the encroachment and the third respondent is ready to take further action in accordance with law.

6.In the light of the above facts and circumstances and the submission of the learned counsels, this Court, without going into the merits of the matter, directs the third respondent to take appropriate action on the representations of the petitioner, dated 19.08.2021 and 30.09.2021, in accordance with law, after providing opportunity to all the necessary parties, within a period of three months from the date of receipt of a



copy of this order.

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

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Sd/-

Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

skn

To

1. The District Collector,
Office of the District Collector,
Cuddalore District,
Cuddalore.
2. The Tahsildar,
Office of the Taluk Office,
Kattumannarkudi - 608 301.
3. The Executive Officer,
Town Panchayat Office,
Double Street,
Kattumannarkoil - 608 301.
4. The Inspector of Police,
Kattumannarkoil Police Station,
Kattumannarkoil - 608 301.

+1cc to Mr.A.Murugan, Advocate, S.R.No.1490

+1cc to Mrs.R.L.Karthika, Advocate, S.R.No.1159

+1cc to the Government Pleader, S.R.No.1142,1139,1635

W.P.No.28408 of 2021

UM(CO)

CT 31/01/2022