



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.04.2022
CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

WEB COPY

W.P. (MD) .No.7692 of 2022

Raja John

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Ramanathapuram District.

2.The Block Development Officer,
Mandapam,
Panchayat Union Office,
Uchipuli,
Ramanathapuram District.

3.M.Patrick

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 03.01.2022 and to take immediate action as per law and provision of Tamilnadu Panchayat Act and protect the properties of Panchayat.

For Petitioner	:	Mr.J.M.Hassanul Bazari
For R-1	:	Mr.T.Amjad Khan, Government Advocate.
For R-2	:	Mr.R.Ragavendran, Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's representation dated 03.01.2022 requesting the first respondent to take action against the third respondent, who is the Panchayat President, for having put up a shop in the Panchayat land adjacent to the petitioner's property within a time frame to be fixed by this Court.

2. The petitioner claims that he is residing adjacent to the shop put up by the third respondent in the Panchayat land. The third respondent is the President of the Panchayat, namely, Pamban Panchayat, Uchipuli, Ramanathapuram District. The petitioner has given a representation on 03.01.2022 to the first respondent requesting him to take action against the third respondent.



3. The learned Government Advocate appearing for the first respondent, on instructions, would submit that the representation of the petitioner has already been taken on record and proceedings have already been initiated against the third respondent. The said statement is recorded.

4. Since enquiry proceedings have already been commenced, this Court is of the considered view that a direction can be issued to the first respondent to pass final orders on the petitioner's representation dated 03.01.2022 after affording a fair hearing to the petitioner and the third respondent.

5. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation dated 03.01.2022 as stated supra and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the third respondent including granting them the right of personal hearing, within a period of four (4) months from the date of receipt of a copy of this order.

6. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

- 1.The District Collector,
O/o.The District Collector,
Ramanathapuram District.
- 2.The Block Development Officer,
Mandapam,
Panchayat Union Office,
Uchipuli,
Ramanathapuram District.

+1 CC to M/s.J.M.HASSANUL BAZARI, Advocate (SR-20744[F] dated 25/04/2022)

+1 CC to M/s.SPL.GP. (SR-21175[F] dated 26/04/2022)

W.P. (MD) .No.7692 of 2022

Date:22.04.2022

SA(11.05.2022) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>