



W.P.No.7677 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7677 of 2023

P.Selvakumari

.. Petitioner

Vs

- 1 The District Collector
O/o the District Collectorate
Tiruvannamalai District.
- 2 The District Revenue Officer
O/o the District Revenue Office
Tiruvannmalai District.
- 3 The Tahsildar
O/o the Kilpennathur Taluk Office
Tiruvannamalai District.
- 4 S.Kamalakaran

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct respondents 1 to 3 to consider petitioner's representation dated 03.02.2023 and pass necessary orders.



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For the Petitioner : Mr.P.Elumalai
For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 3

ORDER

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

P.Selvakumari, wife of Pannerselvam, a resident of Periya Street, Neivanatham Village, Kilpennathur Taluk, Tiruvannamalai District, has filed this writ petition for issuance of a writ of mandamus directing respondents 1 to 3 to consider the representation dated 3.2.2023.

2. The petitioner has filed this writ petition on the premise that the land covered in Survey No.74/4B measuring an extent of 0.0048 sq.m. situate at Neivanatham Village belonging to Bajanai temple has been encroached by the fourth respondent. Since the Bajanai temple is a small one and the poojari and staff working in the temple are afraid of giving a complaint against the fourth



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respondent, the petitioner, being a resident of the village, apart from being a regular visitor and devotee of the Bajanai temple, has given a representation in the interest of the temple.

3. Although there appears to be some merit in the representation of the petitioner, we find that the petitioner has wrongly given her representation dated 3.2.2023 to the District Collector, Tiruvannamalai, instead of giving it to the Joint Commissioner, HR & CE, Tiruvannamalai, for taking appropriate action against the encroacher. Therefore, liberty is granted to the petitioner to give a fresh representation to the Joint Commissioner, HR & CE, Tiruvannamalai, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the Joint Commissioner, HR & CE, Tiruvannamalai, is directed to consider the same on merits and in accordance with law, within a period of four weeks thereafter.



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

(T.R., ACJ.) (D.B.C., J.)
14.03.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

- 1 The District Collector
District Collectorate
Tiruvannamalai District.
- 2 The District Revenue Officer
District Revenue Office
Tiruvannmalai District.
- 3 The Tahsildar
Kilpennathur Taluk Office
Tiruvannamalai District.

Copy to:

The Joint Commissioner,
HR & CE
Tiruvannamalai.



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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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