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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.17143 of 2023

Alfred William @ Albert William
Rep. by his Power of Attorney
Miss.K.Violet Mary

Petitioner

vs.

1. The Commissioner,
Coonoor Municipality,
Coonoor, Nilgiris District.
2. Mrs.Mary Margaret
3. Mr.S.Joseph
4. Mr.C.B.Eric Venantinus Antony
5. Mr.V.Jaison Prasanth
6. Mrs.Jayaseeli
7. Mrs.Ancia Rose
8. Mr.Arun Michael
9. Mrs.Dhanalakshmi
10. Mr.Joseph John Britto
11. Mrs.Jayakalpana



12. Mrs. Alangararubi

13. Mr. Suresh

14. Mr. R. Raghuperumal Swamy

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first respondent to dispose of my representation dated 10.05.2023 within a reasonable period.

For Petitioner : Mr. P. Samjapa Singh

For Respondents : Mr. P. Srinivas

Standing counsel for R1

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to consider the representation made by the petitioner on 10.05.2023 and to take action against the respondents 2 to 14 within a time frame fixed by this Court.

2. The grievance of the petitioner is that the subject property was in possession and enjoyment of the petitioner. While so, the 2nd respondent created fraudulent documents and various sale transactions took place during the year 2019 to 2022. In the meantime, the private respondents started relying upon a Lok Adalat award which according to the petitioner is a fabricated document and according to the petitioner, he never signed in



the so called settlement which was acted upon by the Lok Adalat. Aggrieved by the same, the petitioner claims to have filed a CRP and the same is yet to be numbered and brought for hearing.

3. The private respondents started taking steps to lay a pipe line in the subject property and had made an application before the 1st respondent seeking for permission to lay the pipe-line. Immediately on coming to know of the same, the petitioner made a representation on 10.05.2023 to the 1st respondent. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. Heard Mr.P.Samjapa Singh, learned counsel for the petitioner and Mr.P.Srinivas, learned Standing counsel for 1st respondent.

5. In the considered view of this Court, the petitioner is yet to get any orders challenging the Lok Adalat award. The private respondent are acting in accordance with the Lok Adalat award and therefore, till the petitioner moves an appropriate petition and challenges the award and obtain some interim order protecting his right, there is no question of preventing the 1st respondent from dealing with the application filed by the private respondents, since the 1st respondent has to go by the award by the



Lok Adalat. In view of the same, in the present scenario there is no occasion for the 1st respondent to act upon the representation made by the petitioner.

6. In the light of the above discussion, it is left open to the petitioner to move an appropriate petition challenging the lok adalat award and seek for an interim order and as and when, the same is entertained and interim orders are passed, it will be left open to the petitioner to make necessary application before the 1st respondent and work out his remedy in the manner known to law. Except giving this clarification, no further orders can be passed in this writ petition.

7. This writ petition is disposed of in the above terms. No costs.

09.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation case : Yes
rka



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To
The Commissioner,
Coonoor Municipality,
Coonoor, Nilgiris District.



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N. ANAND VENKATESH, J.

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