



W.P.No.25647 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P. No.25647 of 2023

1.S.Nagarajan
2.N.Rajasekaran

...Petitioners

Vs.

- 1.The District Collector,
(Inspector of Panchayats),
Office of District Collector,
Dharmapuri-5.
- 2.The Block Development Officer,
Office of the Nallampalli Block Development,
Nallampalli Taluk,
Dharmapuri-5.
- 3.The Tahsildar,
Nallampalli Taluk Office,
Nallampalli Taluk,
Dharmapuri.
- 4.The President/Secretary,
Maniyathahalli Village Panchayat,
Maniyathahalli,
Nallampalli Taluk,
Dharmapuri District.

5.Sivasakthi

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to pass orders on the petitioner's representation dated 22.08.2023 in terms of the powers as Inspector of Panchayats, conferred under section 200, 202 and 205 of the Tamil Nadu Panchayats Act, 1994 by and further to forbear the respondents 4 & 5 from interfering with the peaceful possession of the petitioner and his family over the land situated in Survey No.210/7B in lines of Patta No.3466 of Jaruku Village, Maniyathahalli Post, Nallampalli Taluk, Dharmapuri Village, for an extent of 0.50 ares.

For Petitioners : Mr.K.Siva
For Respondents : Mrs.S.Anitha for R1 & R3
Special Government Pleader
Mr.K.M.D.Muhilan
for R2 & R4
Additional Government Pleader

ORDER

The petitioners herein seek a direction to the first respondent to consider their representation dated 22.08.2023 in terms of their power under Section 205 of the Tamil Nadu Panchayats Act, 1994 and to forbear the respondents 4 & 5 from interfering with the peaceful possession of the petitioners and his family over the land situated in S.No.210/7B at Jaruku Village, Maniyathahalli Post, Nallampalli Taluk, Dharmapuri District.



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2. According to the petitioners, the first petitioner is the owner of the land situated in S.No.210/7B having purchased the same under a registered sale deed as Document No.1124 of 1984 on the file of the Sub Registrar Office, Dharmapuri District. It is also claimed by the petitioners that, subsequently, the revenue documents also mutated in favour of the first petitioner.

3. It is also further stated by the petitioners that they are running a Saloon Shop in the said property. It is also stated that the Saloon Shop of the petitioners was demolished by the fifth respondent illegally and in this regard, he submitted a representation to the first respondent dated 22.08.2023 requesting him to take action against the fifth respondent and the same has not been considered by the first respondent.

4. Mrs.S.Anitha, learned Special Government Pleader takes notice for the respondents 1 and 3 and Mr.K.M.D.Muhilan, learned Additional Government Pleader takes notice for the respondents 2 & 4.



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5. In view of the grievance expressed by the petitioner that the representation submitted by him before the first respondent has not been considered till date, without expressing any opinion on the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the first respondent to consider the representation of the petitioner dated 22.08.2023 and pass final orders on merits and in accordance with law, after issuing notice to the respondents 4 and 5 within a period of six weeks from the date of receipt of copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

31.08.2023
(1/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna



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To

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S.SOUNTHAR, J.
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