



WEB COPY



W.P.No.32813 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.32813 of 2022

R.Perumal

.. Petitioner

VS

1.The District Collector
Collector Office, Thiruvarur-610004.

2.The Revenue Officer
Revenue office, Peralam.

3.The Tahsildhar
Tahsildhar Office, Nannilam.

4.Village Administrative Officer
Thenkarai Mathur , Nannilam - 609 603

5.The Superintendent of Police
Department of Police, Peralam.

6.The Inspector of Police
Department of Police
Thiruvarur.

7.M.Suresh

8.Murugayan

9.Arivazhagan

10.Muthu

11.The District Revenue Officer,
Collector Office, Thiruvarur.

(*suo motu impleaded vide order dated 08.11.2023*) ..Respondents

Petition filed under Article 226 of the Constitution of India
praying to issue a writ of mandamus, directing the Respondent



W.P.No.32813 of 2022

Nos.1 to 4 to consider the representation issued by the Petitioner dated 13.10.2022, within the time frame as this Court may be fixed deem fit and proper.

For Petitioner : Ms.Annamma.K

For Respondents : Mr.P.Anandakumar
Government Advocate
for R1 to R6 and R11

ORDER

The petitioner claims to be the owner of agricultural lands in Survey Nos. 66/3B2, 66/3B3, 42/8, 67/2, 67/1, and 68/2 (land in question). He claims Patta no.125 in respect of the aforesaid land in question and states that he is engaged in agricultural activities thereupon, for several years. He alleges that the land in question has been encroached by certain private individuals arrayed as respondents in this writ petition. Though notice has not been issued to them, interests have been taken note of and duly protected by virtue of this order.

2. Aggrieved by the encroachment of the individuals, he has filed a police complaint in Peralam police station on 09.11.2009 in Crime No.121 of 2020 and the matter is pending investigation. He claims that the encroachers are running a Brick-klin business on the encroached land. A representation dated 13.10.2022 has been sent by to the official respondents and in light of the persistent inaction by authorities, the present writ petition has been filed



W.P.No.32813 of 2022

seeking a mandamus directing the respondents to consider his representation.

3. No counter has been filed in the matter despite final opportunity having been granted to the respondents.

4. Mr.P.Anandakumar, learned Government Advocate, appearing for the official respondents would tentatively state that there appears to be disputes inter se the parties. In any event, the appropriate authority to consider the representation is the Revenue Divisional Officer. Hence, the Revenue Divisional Officer, Collector Office, Thiruvarur, is suo motu impleaded as R11 and Mr.Anandakumar, learned Government Advocate, accepts notice.

5. Mandamus is issued to R11 / Revenue Divisional Officer, Collector Office, Thiruvarur to dispose representation dated 13.10.2022 within a period of six weeks from date of receipt of a copy of this order, after hearing the petitioner and the private individuals as well as any other party that the authority may think necessary, and in accordance with law.

6. Writ petition stands disposed in terms of this order. No costs.

08.11.2023

Index:Yes/No
Neutral Citation:Yes
ssm



W.P.No.32813 of 2022

To

WEB COPY

- 1.The District Collector
Collector Office, Thiruvarur-610004.
- 2.The Revenue Officer
Revenue office, Peralam.
- 3.The Tahsildhar
Tahsildhar Office
Nannilam.
- 4.Village Administrative Officer
Thenkarai Mathur
Nannilam - 609 603
- 5.The Superintendent of Police
Department of Police
Peralam.
- 6.The Inspector of Police
Department of Police
Thiruvarur.
- 7.The District Revenue Officer,
Collector Office, Thiruvarur.



WEB COPY



W.P.No.32813 of 2022

DR. ANITA SUMANTH,J.

ssm

W.P.No.32813 of 2022

08.11.2023