



WEB COPY



W.P.No.34181 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.12.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.34181 of 2023

E.Janaki

... Petitioner

Vs

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Tahsildar,
Taluk Office,
Cuddalore.

3.J.Narayanan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to take appropriate action to remove the fence put up by the 3rd respondent in Government Poramboke land comprised in Survey No.94 of Thiruvanthipuram Village, Cuddalore Taluk and District, within the time as fixed by this Hon'ble Court.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.J.C.Durairaj (R1 and R2)
Additional Government Pleader



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ORDER

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Mr.J.C.Durairaj, learned Additional Government Pleader accepts notice for the respondents and is armed with requisite instructions to enable final disposal of this Writ Petition, even at the stage of admission. In light of the order that is proposed to be passed now, no notice is thought necessary to the private respondent/R3.

2. The prayer of the petitioner is for a mandamus simplicitor directing the official respondents, being District Collector, Cuddalore and Tahsildar, Cuddalore/R1 and R2 respectively to take appropriate action to remove the fence put up by the private respondent/R3 in Government Poramboke land comprised in Survey No.94 of Thiruvanthipuram Village, Cuddalore Taluk.

3. According to the petitioner, the third respondent, who is the President of the Thiruvanthipuram Village, has purchased the land adjoining the petitioner's land, which is S.No.95/2, Thiruvanthipuram Village. He has put up a fence around his land which, according to the petitioner impacts the petitioner's access to her lands. She has made a representation to the official respondents as early as on 03.07.2023 and 05.07.2023, but has approached the Court in view of the inaction thus far.



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4. It is seen that the receipt of the petitioner's complaint is not in dispute.

Upon receipt thereof, a message has been received through Whatsapp to the effect that appropriate action would be taken through the Tahsildar. Immediately, on receipt of the message, the petitioner has addressed the same representation before the Tahsildar as well. However, there has been no action thereafter.

5. In light of the aforesaid sequence of events, mandamus is issued to R2 to take up the complaint of the petitioner, hear her as well as R3 and pass appropriate orders on her representations dated 03.07.2023 and 05.07.2023 in accordance with law, within a period of six(6) weeks from today.

6. This Writ Petition is disposed as above. No costs.

12.12.2023

Index : Yes / No

Speaking order

Neutral citations: Yes

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To

1.The District Collector,
Cuddalore District, Cuddalore.

2.The Tahsildar,
Taluk Office,
Cuddalore.



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Dr.ANITA SUMANTH,J.

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