



WEB COPY



WP No.7830 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.10.2024

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No.7830 of 2021

V.Chitra

: Petitioner

versus

1.The Superintendent of Police,
District Police Office,
Near Collectorate, Dharmapuri 636 705

2.The Executive Officer,
Marandhahalli Municipality,
No.9, Koravandahalli road,
Marandhahalli, Palakodu Taluk,
Dharmapuri District 636 806

3.Rajagopal

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 and 2 to consider petitioner's representation dated 01.12.2020 and take steps to remove the unauthorised construction put-up by the 3rd respondent to restore the same.

For Petitioner

:

Mr.D.Ferdinand
for M/s.BFS Legal



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For Respondents 1, 2 : Mr.A.Edwin Prabhakar,
State Government Pleader
assisted by Mr.M.Habeen Rahman

For Respondent No.3 : Mr.P.Valliappan,
Senior Counsel,
for M/s.P.V.Law Associates

ORDER

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

Petition is only to direct respondents 1 and 2 to consider petitioner's representation dated 01.12.2020, copy whereof is at page 39.

2. Though the prayer is to direct respondents 1 and 2, since representation is only to second respondent, with copy marked to first respondent, and it relates to land dispute, we direct respondent No.2 to consider the representation and pass orders in accordance with law.

3. Respondent No.2 shall, before passing any order, consider the counter-affidavit dated 13.04.2021, filed in this petition by respondent No.3, as also the petition and rejoinder filed by petitioner. Respondent



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No.2 shall also give a personal hearing to petitioner and respondent No.3, notice whereof shall be communicated at least seven working days in advance. The order to be passed shall be a reasoned order, dealing with all contentions raised by the parties. Representation shall be disposed of on or before 31.12.2024.

4. Petition disposed of. There will be no order as to costs.

5. We hasten to add that we have not made any observation on the merits of the matter, particularly whether it is a case of encroachment or illegal construction.

(K.R.SHRIRAM, CJ.)

**(SENTHILKUMAR
RAMAMOORTHY, J.)**

21.10.2024

Index : Yes/No
Neutral Citation : Yes/No
tar

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THE HON'BLE CHIEF JUSTICE

AND

SENTHILKUMAR RAMAMOORTHY, J.

(tar)

2.The Executive Officer,
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