



WEB COPY



W.P.No.20747 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.20747 of 2024

D.Muralikrishnan

... Petitioner

-VS-

1. The District Collector,
Office of the Collectorate,
Thiruvannamalai District.
2. The Revenue Divisional Officer,
Office of the RDO,
Cheyyaru Taluk,
Thiruvannamalai District.
3. The Tahsildar,
Office of the Tahsildar,
Chetpet Taluk,
Thiruvannamalai District.

4. Valliyammal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to remove the encroachment made by the 4th respondent in the pathway by disposing of the petitioner's representation dated 10.05.2024 made by the petitioner.



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For Petitioner : No Appearance
For R1 to R4 : Mr.M.Habeeb Rahman
Govt. Advocate

ORDER

(By Hon'ble Acting Chief Justice)

This Writ Petition has been filed for a direction to the respondents 2 and 3 to remove the encroachment made by the 4th respondent in the pathway by disposing of the petitioner's representation dated 10.05.2024 made by the petitioner.

2. Notice to the 4th respondent is dispensed with, as no adverse order is going to be passed against her.

3. It is the case of the petitioner as averred in the petition that the 4th respondent had purchased the land in S.Nos.134/21 and 134/24 to an extent of 810 sq.ft. alone and she has now started encroaching the vacant space to an extent of 2841 sq.ft., claiming that she has patta in her favour. Though she has title only in respect of 810 sq.ft., an attempt is made by the 4th respondent to encroach upon the adjacent vacant space, belonging to the Temple for conducting festival and other public events. It is further case of the petitioner that she had sent a representation dated 10.05.2024 to the respondents and there is no response from them so far. Hence, the petitioner is before this Court.



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4. Learned Government Advocate appearing for the respondents stated that a reasonable time may be granted to the 3rd respondent for considering and passing appropriate orders on the representation of the petitioner.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the 3rd respondent to consider the representation dated 10.05.2024 of the petitioner and pass appropriate orders thereon on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, R4 and other interested parties, if any.

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

[D.K.K.,ACJ.] [M.J.R,J.]
26.09.2024

Index: Yes / No
Internet: Yes / No
Speaking Order/Non Speaking Order
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HON'BLE ACTING CHIEF JUSTICE,
AND
M.JOTHIRAMAN,J.,
ar

To:

1. The District Collector,
Office of the Collectorate,
Thiruvannamalai District.
2. The Revenue Divisional Officer,
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Thiruvannamalai District.
3. The Tahsildar,
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