



W.P.No.3142 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.3142 of 2020

L.Chandrasekaran

...

Petitioner

Vs.

1.The District Collector,
Tiruppur District.

2.The Sub Collector,
Dharapuram,
Tiruppur District.

3.The Tahsildar,
Dharapuram,
Tiruppur District.

4.B.Gokulakannan

5.B.Venkatesan

... Respondents

Prayer: Writ Petition has been filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to consider and take action on his representation dated 27.02.2018.

For Petitioner : Mr.R.Govindaraj



W.P.No.3142 of 2020

For Respondents 1 to 3 : M/s.R.L.Karthika,
Government Advocate

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ORDER

This writ petition has been filed by the petitioner to direct the respondents 1 to 3 to consider and take action on his representation dated 27.02.2018.

2. The case of the petitioner is that the land situated at Old Survey No.512/1 of Naranapuram Village, Dharapuram Taluk, Tiruppur District is a Village Natham and it is used by the public, which contains a choultry, a charity home for beggars and a well. During resurvey, the aforesaid old S.No.512/1 has been changed as S.No.1297/2 and patta was issued to some third parties, who in turn sold the same to the respondents 4 & 5.

2.1. Now, the respondents 4 & 5 are taking steps to demolish the Choultry and Charity home for the beggars. Thus, the petitioner made representation dated 27.02.2018 before the first respondent about the mischief committed by the third respondent and to take action against him and to cancel the patta issued by him to the third parties and the said



representation was forwarded to the second respondent by proceedings dated 09.03.2018. However, no order was passed.

2.2. Again the petitioner has sent another representation dated 28.03.2018. Thereafter, the petitioner was called for an enquiry by the second respondent, but no order was passed. Aggrieved over the same, the petitioner has come forward with the present writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that it would suffice if this Court may issue a direction to the respondents 1 to 3 to consider and dispose of the petitioner's representation dated 28.03.2018, within a time frame to be fixed by this Court.

4. Learned Government Advocate appearing for the respondents 1 to 3 submitted that she has no objection for the said order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials



W.P.No.3142 of 2020

available on record.

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6. Considering the limited prayer sought for by the learned counsel for the petitioner, this Court without going into the merits of the case, directs the second respondent to consider the petitioners' representation dated 28.03.2018 by conducting a detailed enquiry after giving due notice to both the parties, affording an reasonable opportunity of personal hearing, to consider the documents submitted by both the parties at the time of the enquiry in regard to the subject matter property and pass appropriate orders on merits, in accordance with law and by following/observing the above principles of natural justice, within a period of eight weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the aforesaid observation and directions. No costs.

16.07.2024

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Index : Yes/No
Speaking Order : Yes/No

Page No.4 of 7



W.P.No.3142 of 2020

Neutral Citation : Yes/No

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To:

- 1.The District Collector,
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W.P.No.3142 of 2020

J.SATHYA NARAYANA PRASAD,J.

vm

W.P.No.3142 of 2020



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W.P.No.3142 of 2020

16.07.2024