



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-04-2025

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THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

WP.No.11784 of 2025

N.K.Sekar,
S/o Krishnamoorthy,
D.No.25, Krishna Nagar,
Villiyanoor Taluk, Puducherry.

Petitioner(s)

Vs

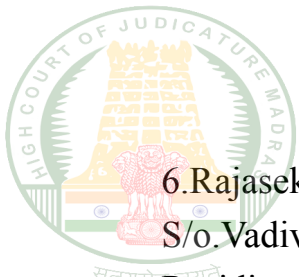
1.The Secretary,
Local Administration Department, Chief Secretariat
Office,
Goburt Avenue, Puducherry.

2.The Commissioner,
Villianoor Commune Panchayat, Villianoor Taluk
Puducherry.

3.The Tahsildar,
Villianoor Taluk, Puducherry.

4.The Land Surveyor,
Villianoor Commune Panchayat, Villianoor Taluk,
Puducherry.

5.The Inspector of Panchayat,
Commune Panchayat, Villianoor Taluk, Puducherry.



6.Rajasekar,
S/o.Vadivel,

Residing at No.17, Krishna Nagar,
Koodapakkam Villianur Bye Pass Road,
Villinaur, Puducherry.

7.Baskar,
S/o Rajasekar,
Residing at No.17, Krishna Nagar,
Koodapakkam Villianur Bye Pass Road,
Villinaur, Puducherry

Respondent(s)

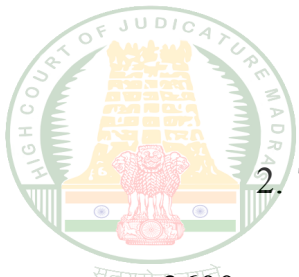
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 18.02.2025 and to take necessary action against respondents 2 to 5 for their illegal act within the time framed by this Honble Court and pass such further orders.

For Petitioner(s): M/s.K.Gandhi Kumar

For Respondent(s): M/s.V.Vasanth Kumar,
Additional Government Pleader
for R1 to R5

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 18.02.2025 and to take necessary action against respondents 2 to 5 for their illegal act.



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2. The Petitioner, a retired Army Personnel, purchased a total extent of 3600 sq. ft. of the property in Villianoor, Puducherry, through registered sale deeds in 1985 and 2011. He constructed a building on the said property with due permission from the Commune Panchayat in 2006 and further extended it in 2018. The petitioner alleges that the sixth respondent, Rajasekar, and his son, the seventh respondent, Baskar (a Government employee), bore enmity against him due to complaints made by the petitioner against illegal pension and encroachment by the sixth respondent. This led to official action against them. Subsequently, the second to fifth respondents, allegedly under the influence of the sixth and seventh respondents, used a JCB to damage the petitioner's building without any notice, and threats were also issued to him. Despite multiple legal representations and a legal notice sent to the first respondent, no action has been taken.

3. Learned counsel appearing for the petitioner submits that the petitioner's property, legally purchased and constructed with proper permissions, was unlawfully damaged by public officials (second to fifth



respondents) at the behest of the sixth and seventh respondents. He submits that the petitioner claims that the actions were taken without notice, in violation of natural justice, and caused significant loss and mental agony. He further submits that the petitioner also asserts that he and his family have been criminally intimidated and threatened with false cases. Despite repeated representations, the first respondent failed to take any action, and hence the petitioner seeks the intervention of this Court, leading to this case.

4. Learned Additional Government Pleader appearing for R1 to R5 submits that the representation of the petitioner dated 18.02.2025 would be considered on merits, in accordance with law, within a time frame stipulated by this Court.

5. Heard both sides and perused the materials available on record.

6. Without going into the merits of the case, the third respondent is directed to consider the representation of the petitioner dated 18.02.2025 after conducting a detailed enquiry by giving due notice to the petitioner



and respondents 6 & 7, affording an opportunity of personal hearing to the petitioner as well as respondents 6 & 7, to take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

03-04-2025

cda

To

1.The Secretary,
Local Administration Department,
Chief Secretariat Office,
Goburt Avenue, Puducherry.

2.The Commissioner,
Villianoor Commune Panchayat,
Villianoor Taluk Puducherry.

3.The Tahsildar,
Villianoor Taluk, Puducherry.



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J.SATHYA NARAYANA PRASAD J.

cda

4.The Land Surveyor,
Villianoor Commune Panchayat,
Villianoor Taluk, Puducherry.

5.The Inspector of Panchayat,
Commune Panchayat,
Villianoor Taluk, Puducherry.

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