
(2011) 03 MAD CK 0581

In the Madras High Court

Case No : Writ Petition No. 28526 of 2008 and M.P. No. 1 of 2008

Venkatasami

APPELLANT

Vs

The District Collector Krishnagiri District Krishnagiri, The
Block Development Officer, Hosur Panchayat Union, Hosur,
Krishnagiri District and The President S. Muduganapalli
Village Panchayat

RESPONDENT

Date of Decision : 29-03-2011

Acts Referred:

Citation : (2011) 03 MAD CK 0581

Hon'ble Judges : N. Kirubakaran, J

Bench : Single Bench

Advocate : Selvarajan, for the Appellant; M. Dhandapani for Respondents 1 and 2, for the Respondent

Final Decision : Dismissed

Judgement

N. Kirubakaran

1. The petitioner contends that the authorities without proceeding under the provision of the Land Acquisition Act, encroached upon his property, situated in S. No. 231/1B and 161/2 Muduganapalli Village, Osur Taluk, Krishnagiri Taluk. Originally, the petitioner's father gave 15 feet for the purpose of laying road and the said property is comprised in S. No. 161/2. However, now the respondents are laying the road measuring 36 feet without his consent. Therefore, the petitioner gave a representation to the authorities on 18.11.2008, requesting not to interfere with the possession of the said properties comprised in S. No. 161/2 and 231/1B, by laying road.

2. The learned counsel for the petitioner submits that in the mean time, the respondents encroached the petitioner's property, without issuing any notice under Land Acquisition Act. Hence, the petitioner made a representation dated 18.11.2008 to the first respondent.

3. Though writ of mandamus not to interfere with his possession of the property was sought for, this Court directs the first respondent especially to dispose of the petitioner's representation dated 18.11.2008 as per law and merits within a period of ten weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.