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R.Devaraj. Vs. the Commissioner, and ors.

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Court : Chennai

Decided On : Jul-27-2012

Judge : R.Sudhakar, J.

Acts : Constitution of India - Articles 226

Appeal No. : Writ Petition No.19700 of 2012 and M.P.No.1 of 2012

Appellant : R.Devaraj

Respondent : The Commissioner, and ors.

Advocate for Def. : Mr.K.Makesh, Adv.

Advocate for Pet/Ap. : Mr.B.Nedunchezhiyan, Adv

Judgement :

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from acquiring the land in Door No.7/2, Mahalakshmi Nagar, 3rd Street, Uppilipalayam Post, Coimbatore in an unlawful manner.

ORDER

1. This Writ Petition is filed praying to issue a Writ of Mandamus, forbearing the respondents from acquiring the land in Door No.7/2, Mahalakshmi Nagar, 3rd

Street, Uppilipalayam Post, Coimbatore in an unlawful manner.

2. Mr.K.Makesh, learned counsel takes notice for the respondents. By consent the writ petition is taken up for disposal.

3. The grievance of the petitioner is that the respondents should not acquire the petitioner's land without following the due process of law. A representation dated 26.6.2012 has been sent and a photo copy of the postal acknowledgment dated 28.6.2012 signed by the second respondent is filed along with the typedset of papers.

4. The counsel appearing for the respondents states that the authority will verify the claim of the petitioner, examine his right, title and interest on the property and proceed in the matter by following the due process of law. The apprehension of the petitioner is misconceived.

5. Considering the above submission made by the learned counsel for the respondents, the second respondent is directed to consider the representation of the petitioner on merits and in accordance with law expeditiously. The authority is directed to proceed in the matter only by following the due process of law. This Court has not expressed any opinion on the claim of the petitioner.

6. The Writ Petition is disposed of as above. No costs. Consequently, connected miscellaneous petition is closed.

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