

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE DR.JUSTICE P. DEVADASS

W.P.No.7846 of 2014 and M.P. No. 1 of 2015

N.Sekar

Petitioner

Vs.

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
- 3.The Tahsildar,
Palacode Taluk,
Palacode, Dharmapuri District.
- 4.Sevathaana
- 5.Subramani

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the 1st respondent to consider the petitioner's representation dated 27.08.2013 with respect to providing and earmarking pathway in Natham S.Nos.283/31 and 283/36 leading to the house property in Natham S.No.283/35, Kejanaickanahalli, Beharahalli Village, Palacode Taluk, Dharmapuri District.

For petitioner : Mr.S.P.Mani

For respondents : Mr.P.Sivashanmugasundaram,
Spl.GP for R1 to R3

Mr.M.Selvam for
Mr.A.D.Janarthanam for R4, R5

- - - - -

ORDER

(Order of the Court was delivered by SATISH K. AGNIHOTRI,J.,)

With the consent of the learned counsel for the parties, this writ petition is taken up for final disposal.

2 The only relief sought in this writ petition is to direct the first respondent to consider the petitioner's representation dated 27.08.2013 and pass appropriate orders for providing pathway to his house property.

3 According to the learned counsel for the petitioner, on account of grant of patta to the respondents 4 and 5 in survey Nos. 283/31 and 283/36, they are preventing the petitioner and the public from using the pathway in question. The said pathway, which was used by the petitioner as well as other people for several years, is not available due to the encroachment made by the respondents 4 and 5. Thus, the petitioner has made a representation to the authorities to make provision for pathway, so that, the petitioner as well as other people can use the same for the purpose of ingress and egress.

4 Having regard to the facts situation of the case, we are not inclined to give a positive direction. However, since the grievance of the petitioner seems to be genuine, the authorities are directed to consider the petitioner's representation dated 27.08.2013 and take consequential decision, after affording an opportunity of hearing to all the concerned parties, as expeditiously as possible.

5. The writ petition is disposed of with the above direction. No cost. Connected miscellaneous petition is closed.

gya/ra

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

3.The Tahsildar,
Palacode Taluk,
Palacode, Dharmapuri District.

+ 1 cc to Mr.A.D.Janarthanan, Advocate SR 62784

+ 1 cc to Mr.P.Mani, Advocate SR 62734

gj(co)
prk10/12

W.P.No.7846 of 2014



WEB COPY