

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20171 of 2015

And

M.P.No.1 of 2015

K.Balachandran

... Petitioner

Vs.

- 1 The Collector
Vellore District Sathuvachari Vellore.
- 2 Superintendent of Police
Vellore District Sathuvachari Vellore.
- 3 Deputy Superintendent of
Police Katpadi Vellore District-632 007.
- 4 The President
Dharapadavedu Panchayat Dharapadavedu
Katpadi Vellore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the 3rd respondent from continuing with the construction of wall across the 23 feet road adjoining the office of the 3rd respondent at MGR Nagar West Dharadapadavedu, Katpadi, Vellore District.

For Petitioner : Mr.A.U.Ilango
For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that his family members had formed the MGR Nagar West layout and also gifted a piece of land measuring about 7500 sq.ft., under various documents dating between 1994 and 1997 in favour of the Dharapadavedu Panchayat, Dharapadavedu, Katpadi, Vellore District and the fourth respondent has also laid pucca road and is maintaining it and it is 23 feet wide road. The petitioner would further state that the said road links the MGR Nagar West residents to Gudiyattam Main road and it is the only road which provides access to the MGR Nagar West to Gudiyattam Main road.

3.The grievance expressed by the petitioner is that during the year 2009, there is an attempt by the police personnel attached to the office of the third respondent, to prevent the residents from using the said public road and after protest, the proposal was left and all of a sudden, at the instance the third respondent, steps are being taken to put up a compound wall right across the road which would hinder the

movements of the residents of the said layout. The petitioner in this regard, submitted a representation dated 28.06.2015 to the respondents 1 to 3 as well as to the Chief Secretary to Government, Secretary, Home Department as well as to the Director General of police and the response is awaited and in the interregnum, the third respondent is proceeding to put up a construction and in that event, the access of the residents of the locality to the main road will be denied and hence, came forward to file this writ petition.

4. Heard the submissions of Mr.A.U.Ilango, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

5. This Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the second respondent to consider and dispose of the petitioner's representation dated 28.06.2015 in accordance with law, after giving him an opportunity of personal hearing and pass orders within a period of two weeks from the date of receipt of a copy of this order and till then, maintain status-quo as exists today.

M.SATHYANARAYANAN.,J.

6.The writ petition is disposed of accordingly. No costs.
Consequently, the connected miscellaneous petition is closed.

08.07.2015

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Index: Yes / No
Internet: Yes/ No

Note: Issue order copy on 09.07.2015

To

- 1 The Collector
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