

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2015

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P. No. 29969 of 2015
and M.P.No.1 of 2015

A.Muthukumar ... Petitioner

-vs-

1. The District Collector,
Office of the Collector Building,
Salem - 636 001
2. The District Revenue Officer,
Office of the Collector Building,
Salem - 636 001
3. The Revenue Divisional Officer,
Sankari Taluk, Salem District.
4. The Block Development Officer,
Magudanchavadi Panchayat Union,
Magudanchavadi, Salem.
5. The Tahsildar,
Sankari Taluk, Salem District.
6. The President,
Ernapuram Village Panchayat Board,
Magudanchavadi, Salem.

7.R.Arun

8.R.Surya

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 6 to forbear the respondents 7 and 8 from fencing or putting up compound wall by blocking the 30 meter length and 30 feet of breadth road comprised in S.No.243/3 at Ernapuram Village, allotted for the purpose of usage of road to the general public to access to the main road connecting Salem to Edappadi main road, Ernapuram Village and

Panchayat, Sankari Taluk, Salem District thereby preventing the school students, school vehicles, worshipers, patients and general public to access the road for the purposes of using men and vehicle, which was allotted and approved by the Village Panchayat based on the petitioner's representation dated 16.07.2015.

For Petitioner : Mr.N.Vijaya Baskar
for M/s.Law Vision

For Respondent : Mr.V.R.Kamalanathan,
Addl. Govt. Pleader for RR 1 to 5

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The matter pertains to title dispute over land, as according to the petitioner, the private respondents claim the same to be a part of their land, while the case of the petitioner is this is a public street. Such issues cannot be decided without leading evidence and cannot form subject matter of a Public Interest Litigation. The petitioner is free to pursue his civil or other remedy as available.

2. Writ Petition is dismissed. No costs. Consequently, M.P.No.1 of 2015 is also dismissed.

sra

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The District Collector,
Office of the Collector Building,
Salem.
2. The District Revenue Officer,
Office of the Collector Building,
Salem.
3. The Revenue Divisional Officer,
Sankari Taluk, Salem District.

4. The Block Development Officer,
Magudanchavadi Panchayat Union,
Magudanchavadi, Salem.
5. The Tahsildar,
Sankari Taluk, Salem District.
6. The President,
Eranpuram Village Panchayat Board,
Magudanchavadi, Salem.

+1 C.C.to MR.LAW VISION, Advocate in Sr.No.51837

+1 C.C.to GOVERNMENT PLEADER, High Court in Sr.No.52054

W.P.No.29969 of 2015

RSK(CO)
sd : 05/10/2015



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