

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

WP.No.40601 of 2015
& MP.No.1 of 2015

A.S.Anandhababu

.. Petitioner

Versus

1.The District Collector,
Krishnagiri District.

2.The Revenue Divisional Officer,
Hosur,
Krishnagiri District.

3.The Block Development Officer,
Panchayat Union,
Kelamangalam,
Krishnagiri District.

4.The Village Administrative officer,
O/o. The Village Administrative Officer,
Pachappanatti Village,
Denkanikottai Taluk,
Krishnagiri District.

5.The Tahsildar,
O/o.The Tahsildar,
Denkanikottai,
Krishnagiri District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the respondents from laying/forming any road belonging to the petitioner in S.No.47/2, Pachappanatti Village, Denkanikottai Taluk, Krishnagiri.

For Petitioner : Mr.R.Subramanian

For Respondents: Mr.R.Lakshmi Narayanan, AGP.

O R D E R

Heard Mr.R.Subramanian, learned counsel appearing for the petitioner and Mr.R.Lakshmi Narayanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents and with their consent, the writ petition is taken up for final disposal.

2. The petitioner seeks for issuance of a writ of mandamus to forbear the respondents from laying/forming any road belonging to the petitioner in S.No.47/2, Pachappanatti Village, Denkanikottai Taluk, Krishnagiri.

3. The petitioner's grievance is that the road is to be formed on his Patta land. To support such contention, the learned counsel appearing for the petitioner referred to the patta issued to the petitioner and other revenue records to state that he is the absolute owner of the property. In this regard, a representation has been submitted to the third respondent, wherein, the petitioner has stated that he has already given a portion of the land for the formation of the road and he has no objection for forming Thar road on the said land. This representation is now pending before the third respondent.

4. In the light of the above, without going into the merits of the case, there will be a direction to the third respondent to consider the petitioner's representation dated 18.12.2015, well before taking any steps to form the road, on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
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Krishnagiri District.

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O/o.The Tahsildar,
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+ 1 cc to Mr.R. Subramanian, Advocate SR.69134

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GJ(CO)

EU 12.1.16

सत्यमेव जयते

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