

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.5189 of 2015 and M.P.No.1 of 2015

R.Elumalai

...Petitioner

Vs

1. The District Collector
Thiruvallur District
Thiruvallur
 2. The Block Development Officer
Sholavaram, Chennai - 600 067
 3. The Tahsildar,
Ponneri Taluk, Ponneri
 4. The President,
Neduvarampakkam Village,
Panchatti Post, Ponneri Taluk,
Thiruvallur District
- ...Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider the representation dated 11.02.2015 forbearing the respondents 2 to 4 or any other authorities in any manner to lay the road in the land situated at Neduvarampakkam Village, Panchatti Post, Ponneri Taluk, Thiruvallur District to an extent of 0.70 cents, 16 cents in village Survey No.267/11 and Survey No.267/12 which is adjacent land respectively and 0.07 cents in Punja survey no.270/4 in registered sale deed dated 30.11.1977 in the name of Smt.Ekkathammal through Sub-Registrar Office, Ponneri.

For Petitioner :Mr.R.Balasubramanian

For Respondents :Mr.Jayaprakash Narayanan for R1 and R3
Special Government Pleader

Mr.R.Ravichandran for R2 and R4
Additional Government Pleader

O R D E R

Heard Mr..R.Balasubramanian , learned counsel appearing for the petitioner and Mr.Jayaprakash Narayanan, learned counsel appearing for the first and third respondents and Mr.R.Ravichandran, learned Additional Government Pleader appearing for 2nd and 4th respondents. With the consent of either side the Writ Petition itself is taken up for final disposal at the admission stage.

2.The Petitioner seeks for a direction to forbear the respondents from laying road in the land comprised in Survey Nos.267/11 and 267/12, which is the adjacent to lands to Survey No.270/4.

3. According to the petitioner, there is an attempt to lay a road through his patta land. In support of his contention, the petitioner has enclosed a sale deed dated 30.11.1977 executed in favour of the petitioner's wife. However, a copy of the patta has not been enclosed.

3. In any event, the representation is pending before the 1st respondent. In the light of the above, without going into the merits of the contentions raised by the petitioner, the 1st respondent is directed to consider the representation of the petitioner after issuing notice to the petitioner as well as the 4th respondent, Panchayat and pass orders on merits and in accordance with law within a period of three weeks from the date of receipt of copy of this order.

With the above said observation, this Petition is disposed of. Consequently, connected miscellaneous petition is also closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssd

To

1. The District Collector
Thiruvallur District
Thiruvallur

2. The Block Development Officer
Sholavaram, Chennai - 600 067

3. The Tahsildar,
Ponneri Taluk, Ponneri

4. The President,
Neduvarampakkam Village,
Panchatti Post, Ponneri Taluk,
Thiruvallur District.

1 cc to Mr. R.Balasubramanian, Advocate, SR.No.10750/13

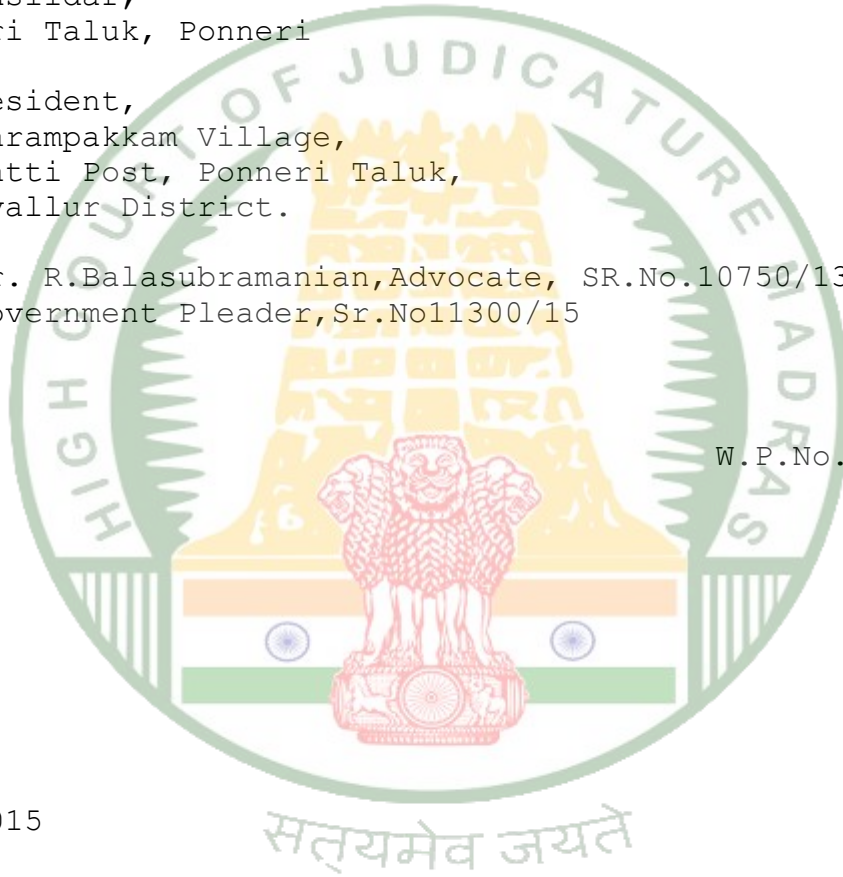
1 cc to Government Pleader, Sr.No11300/15

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M.P.No.1 of 2015

KGK (CO)

PMK.6.3.2015



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