



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.08.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.14719 of 2015

and

M.P(MD) No.1 of 2015

A.MaduraiVeeran

... Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Arignar Anna Maligai,
Thallakulam,
Madurai - 625 002.

... Respondent

This Writ Petition has been filed praying for a Writ of Mandamus directing the respondent herein to remove the extended portion of the Tar Road laid in and over the patta land of the petitioner to a width 4 feet and length of 80 feet bearing S.No.411/4A and S.No.411/3D situate at Salvation Army Church Street, Thiruvalluvar Nagar, Madakulam Village, Palanganatham, Madurai South, Madurai City by considering the representation of the petitioner, dated 13.07.2015 within a stipulated time fixed by this Court.

For petitioner : Mr.A.Saravanan

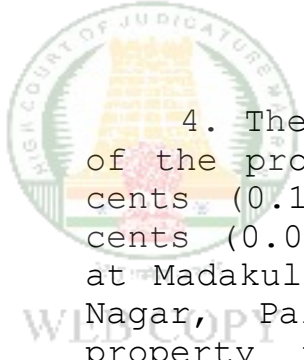
For Respondent : Mr.R.Prabhu Ramachandran

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondent herein to remove the extended portion of the Tar Road laid in and over the patta land of the petitioner, to a width 4 feet and length of 80 feet, bearing S.No.411/4A and S.No.411/3D situated at Salvation Army Church Street, Thiruvalluvar Nagar, Madakulam Village, Palanganatham, Madurai South, Madurai City, by considering the representation of the petitioner, dated 13.07.2015 within a stipulated time.

2. Mr.R.Prabhu Ramachandran, learned counsel takes notice for the respondent.

<https://hcservices.courts.gov.in/hcservice> By ~~in~~ ~~service~~ ~~service~~, this Writ Petition itself is taken up final disposal.



4. The case of the petitioner is that he is the absolute owner of the property bearing S.No.411/4A measuring to an extent of 11 cents (0.11.0 Hec.) and S.No.411/3D measuring to an extent of 2 cents (0.02.0 Hec.) totalling to an extent of 13 cents, situated at Madakulam Village, Salvation Army Church Street, Thiruvalluvar Nagar, Palanganatham, Madurai South, Madurai City. The said property was allotted to the petitioner by way of family arrangement. While so, the respondent, who is the public authority on 11.07.2015 by overlooking the objection of the petitioner, has laid Tar road in and over the said petitioner's patta land in question, for a width of 4 feet and length of 80 feet. The respondent has no right to extend the road into the patta land of the petitioner without any prior notice or any acquisition. Hence, the petitioner submitted a representation before the respondent on 13.07.2015. The said representation was not considered so far. Hence, the petitioner has come with the present Writ Petition for the above stated relief.

5. Considering the facts and circumstances of the case, this Court directs the respondent to consider the representation of the petitioner, dated 13.07.2015, on merits and in accordance with law by affording opportunity of hearing to all the necessary parties, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this Writ petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation,
Arignar Anna Maligai,
Thallakulam, Madurai - 625 002.

+ 1 CC TO MR.R.PRABU RAMACHANDRAN, ADVOCATE IN SR NO. 46802
+ 1 CC TO MR.A.SARAVAN, ADVOCATE IN SR NO. 46824

PM

TE/AN-MP/SAR(J) 05/09/2015 2P/4C