



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2015

C O R A M

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD) No.1930 of 2014
and
M.P(MD)No.1 of 2014

Andisamy

... Petitioner

Vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional officer,
Aruppukottai,
Virudhunagar District.
- 3.The President,
Kambikudi Village Panchayat,
Kambikudi Post,
Kariapatti Union,
Virudhunagar District.
- 4.The Inspector of Police,
Kariyapatti Police Station,
Kariyapatti,
Virudhunagar District.
- 5.Mr.Chellamoopar
- 6.Mr.Muthukaruppan
- 7.Mr.Ramasamy
- 8.Tmt.Mariammal
- 9.Mr.Paulraj

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents 1 to 4 to restore the road in the existing public cart track running through Survey Nos.179, 180, 181 and 149 in Pichampatti Village, Kariyapatti Union, Virudhunagar District as per Village field map connecting Kariyapatti Main Road, Schools, Ration Shop, Temple, Burn and Burial Ground.

For petitioner

...Mr.M.Saravanakumar

For R1 to R4

...Mr.M.Alagathevan

**ORDER**

The writ petition has been filed for a writ of mandamus, directing the respondents 1 to 4 to restore the road in the existing public cart track running through Survey Nos.179, 180, 181 and 149 in Pichampatti Village, Kariyapatti Union, Virudhunagar District as per Village field map connecting Kariyapatti Main Road, Schools, Ration Shop, Temple, Burn and Burial Ground.

2. According to the petitioner, the residents of Pitchampatti Village used the cart track running through Survey Nos.179, 180, 181 and 149 in Pichampatti Village and connecting Kariyapatti Main Road, Schools, Ration Shop, Temple and Burial Ground for more than 100 years. In the Revenue Records, it is stated as Cart Track. Now the respondents 5 to 9 are preventing the petitioner from using the pathway. In the above circumstances, he has given a representation to the first respondent, the District Collector. The first respondent did not consider the representation and pass orders. Hence, he has come out with the present writ petition.

3. Though the writ petition is filed for a larger relief, seeking issuance of a Writ of Mandamus, directing the respondents 1 to 4 to restore the road in the existing public cart track running through Survey Nos.179, 180, 181 and 149 in Pichampatti Village, Kariyapatti Union, Virudhunagar District as per Village field map connecting Kariyapatti Main Road, Schools, Ration Shop, Temple and Burial Ground, the learned counsel appearing for the petitioner in the course of his argument, restricted his relief for issuing direction to the first respondent to consider the petitioner's representation.

4. In view of the same, the petitioner is directed to give fresh representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law with a period of eight weeks thereafter.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
1. The District Collector,
Virudhunagar District,
Virudhunagar.

<https://hcservices.courts.gov.in/hcservices/>
2. The Revenue Divisional officer,
Aruppukottai,
Virudhunagar District.



3.The President,
Kambikudi Village Panchayat,
Kambikudi Post,
Kariapatti Union,
Virudhunagar District.

4.The Inspector of Police,
Kariyapatti Police Station,
Kariyapatti,
Virudhunagar District.

+1cc to M/S.M.Saravana Kumar, Advocate in SR.No 51356

+1cc to Special Government Pleader in SR.No. 51711.

TS/21.09.2015/3P - 7C SK-SKN /SAR -I

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