



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P. (MD)No.5425 of 2014

and

M.P. (MD)Nos.1&2 of 2014

P.J.Ramkumar Raja

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District
Virudhunagar.

2.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam.

3.The Commissioner,
Rajapalayam Municipality,
Rajapalayam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents not to alter or change the character and physical feature of the disputed property in T.S. Ward E, Block No.2, T.S.No.2, Rajapalayam Municipality, Virudhunagar District I.e., the property marked as CDEF in the plan filed in the typed set measuring East West 16.7 Mtrs, North South measuring 5 Mtrs, either by putting up construction or other wise.

For Petitioner : Mr.A.Sivaji

For Respondents : Mr.S.Chandrasekar
(R1 and R2) Govt.Advocate

For Respondent-3 : Mr.Dilipkumar

O R D E R

The Writ Petitions have been filed praying for issuance of a Writ of Mandamus, directing the respondents, not to alter or change the character and physical features of the disputed property in T.S. Ward E, Block No.2, T.S.No.2, Rajapalayam Municipality, Virudhunagar District I.e., the property marked as 'CDEF' in the plan filed in the typed set, measuring East-West 16.7 Mtrs, North-South measuring 5 Mtrs, either by putting up construction or otherwise.



3. The respondents have produced a plan. According to the Corporation, the petitioner's main access in the State Highway, which is earmarked in the blue colour in the plan and therefore, the petitioner's access in the main road is not in any way hindered. As far as the construction, which is now put up, which shown as red marked portion in the plan, they have also left 8.3 feet on the north-south and 5.6 feet on the east-west, so that the persons whose houses situated there can have access to the open space between the place. They have also further stated that they will not close or hinder from using this as pathway.

4. With the above observation and recording the submission, the writ petition is closed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1. The District Collector,
Virudhunagar District, Virudhunagar.

2. The Tahsildar,
Rajapalayam Taluk, Rajapalayam.

3. The Commissioner,
Rajapalayam Municipality,
Rajapalayam.

+1cc to M/S.N.Dilip Kumar, Advocate in SR.No. 15403

+1cc to M/S. A.Sivaji, Advocate in SR.No. 15369

TS/09.04.2015/2P-6C

W.P. (MD) No.5425 of 2014

26.03.2015