



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2015

C O R A M

WEB COPY

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

W.P(MD) No.14024 of 2013
and
M.P(MD)No.1 of 2013

R.Muthu

... Petitioner

Vs.

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Tahsildar,
Illuppur Taluk,
Pudukkottai District.
- 3.The Block Development Officer,
Annavasal Panchayat Union Office,
Annavasal, Illuppur Taluk,
Pudukkottai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the Respondents, their men and agents from removing the existing road as a pathway situated at S.No.494 in Chinnasengapatti, Pudukkottai District.

For petitioner ...Mr.B.Jameel Arasu

For R1 & R2 ...Mr.M.Alagathevan
Spl. Govt. Pleader

For R3 ...Mr.S.Satheeshkumar

O R D E R

The writ petition has been filed for writ of mandamus forbearing the Respondents, their men and agents from removing the existing road as a pathway situated at S.No.494 in Chinnasengapatti, Pudukkottai District.

2.According to the petitioner, there are more than 25 family members are residing in his village. No road facilities are available in his village. The villagers laid a road in S.No.494 and using the same for many years. Due to political motive and enmity between the petitioner and others, a false complaint was given to the respondents to remove the road laid and used by the petitioner's village.

3.The petitioner gave a representation, dated 19.08.2013 to the first respondent to permit the petitioner and his village people to use the existing road. If the road is removed or closed, the villagers will be put to irreparable hardship. In the circumstances, he has come out with the present writ petition for the relief stated supra.



4. Though the writ petition is filed for a larger relief, seeking issuance of a Writ of Mandamus, forbearing the Respondents, their men and agents from removing the existing road as a pathway situated at S.No.494 in Chinnasengapatti, Pudukkottai District, the learned counsel appearing for the petitioner in the course of his argument, restricted his relief for issuing direction to the first respondent/The District Collector, Pudukkottai District, to dispose of the petitioner's representation, dated 19.08.2013.

5. In view of the same, this Court directs the petitioner 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 and on receipt of such representation, the first respondent is directed to consider the representation of the petitioner and pass orders on merits and in accordance with law within a period of eight weeks thereafter. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Illuppur Taluk,
Pudukkottai District.

3. The Block Development Officer,
Annavaasal Panchayat Union Office,
Annavaasal, Illuppur Taluk,
Pudukkottai District.

+1cc to Special Government Pleader in SR.No. 48531

TS/09.09.2015/2P - 5C AAL/MPA

W.P (MD) No.14024 of 2013

20.08.2015