

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.39652 of 2016
and W.M.P.Nos.33922 & 33923 of 2016

G.Veeraraghavan

[Petitioner]

Vs

The Commissioner
Oulgaret Municipality
Pondicherry- 605 005.

[Respondent]

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records relating to the impugned Notification bearing No.F. No.50-13/ Engg.(6)/ O.M./ 15-16 26.02.16 and to quash the same as illegal void arbitrary motivated and violative of the principles of natural justice in so far as it relates to the private Road comprised in R.S. No.27/4A Kalki Nagar Oulgaret Municipality Puducherry and further forbear the Respondent from interfering with his peaceful possession and enjoyment in his land comprised in R.S. No.27/4A bearing Patta No.1321 in Kalki Nagar Oulgaret Municipality Puducherry.

For Petitioner	..	Mr.S.Subramanian
For Respondent	..	Mr.K.P.Harin, AGP (P)

ORDER

This writ petition has been filed to issue a writ of certiorarified mandamus calling for the records relating to the impugned Notification bearing No.F. No.50-13/ Engg.(6)/ O.M./ 15-16, dated 26.02.16 and to quash the

N.KIRUBAKARAN, J

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same, as illegal, void, arbitrary motivated and violative of the principles of natural justice, insofar as it relates to the private Road comprised in R.S. No.27/4A, Kalki Nagar, Oulgaret Municipality, Puducherry and further forbear the Respondent from interfering with his peaceful possession and enjoyment in his land comprised in R.S. No.27/4A bearing Patta No.1321 in Kalki Nagar Oulgaret Municipality Puducherry.

2. The petitioner, having promoted a lay-out in Survey No.27/4A, Kalki Nagar, Oulgaret Municipality, Puducherry and sold to various parties, cannot approach this Court, questioning the authorities for having declared the roads as public roads, which were included in the approved layout as roads. Therefore, the writ petition fails and the same is dismissed. No costs. Connected miscellaneous petitions are also dismissed.

14.11.2016

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To
The Commissioner
Oulgaret Municipality
Pondicherry- 605 005.

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