

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED:08.12.2016

CORAM:

WEB COPY

THE HONOURABLE **MR.JUSTICE K.RAVICHANDRABAABU****W.P.(MD)No.23758 of 2016**

N.Radhakrishnan

...Petitioner

Vs.

1.The District Collector,
Madurai.2.The Revenue Divisional Officer,
Usilampatti,
Madurai District.3.The Tahsildar,
Thirumangalam,
Madurai District.4.The Block Development Officer,
Thirumangalam,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 03.10.2016 and 06.10.2016 and to implement the second respondent's proceedings dated 14.02.2015 in M.C.No.57/2015/A4 and to remove the Tar Road situated in centre portion of petitioner's Patta land within the time frame as fixed by this Court.

For Petitioner : Mr.T.R.Subramanian

For Respondents : Mr.C.Selvaraj
Special Govt. Pleader**O R D E R**

The petitioner is aggrieved against the laying of Tar road in centre portion of his Patta land. His contention is that by laying such Tar road in the centre portion, the tomb of the petitioner's wife already erected in his patta land is affected and causes hindrance to the petitioner to have access to the said tomb.



2. The learned counsel appearing for the petitioner submitted that the petitioner is willing to part with other portion of his own land, so that, the Tar road already laid can be removed in one portion of the land and laid in the other portion of the land, thereby not affecting the said tomb. In any event, as the petitioner has already made two representations on 03.10.2016 and 06.10.2016 to the first respondent, it is for the first respondent to consider the said request of the petitioner and pass orders on the same on merits and in accordance with law also by considering the feasibility of the request made by the petitioner.

3. Such exercise shall be done by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai.

2.The Revenue Divisional Officer,
Usilampatti, Madurai District.

3.The Tahsildar,
Thirumangalam, Madurai District.

4.The Block Development Officer,
Thirumangalam,
Madurai District.

+1 cc to MR.T.R.SUBRAMANIAN, Advocate SR.No.79914

+1 cc to Special Government Pleader SR.No.80277

W.P. (MD) No.23758 of 2016

08.12.2016

SMA/SKS-RR/02.01.2017:2P/7C