



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.10473 of 2013
and
MP(MD) No.1 of 2013

Kannaiah

Rep. by his Power of Attorney B.Muthuraj

... Petitioner

Vs.

1. The Madurai Corporation
Rep by its Commissioner,
Arignar Anna Malligai, Madurai - 625 020.

2. The Assistant Commissioner
Madurai Corporation,
Arignar Anna Malligai, Madurai - 625 020.

3. Jeyachandran @ Kottaikalai

4. V.N.Krishnamoorthy

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the Paver Block road laid in the petitioner's patta land in plot No. 5 measuring an extent of 624 sq.ft. in S.No.165/4A in Balaji Nagar, Thirupparankundram Village, Madurai and restore it to the original position.

For Petitioner : Mr.R.Subramanian
For Respondents : Mr.R.Prabhuramachandran - For R1
: Mr.M.Alagathevan, - For R2
Special Government Pleader
: Mr.B.Sukumar - For R3

ORDER

This writ petition has been filed, seeking to direct the respondents 1 and 2 to remove the Paver Block road laid in the petitioner's patta land in plot No.5 measuring an extent of 624 sq.ft. in S.No.165/4A in Balaji Nagar, Thirupparankundram Village, Madurai and restore it to the original position.



3. Alleging that the first respondent without getting his consent, has laid a Paver Block road in his patta land, the petitioner has submitted several representations to the respondents 1 and 2 and as the same are kept pending, without any action, which constrained him to file another representation dated 26.06.2013 before the respondents 1 and 2 to remove the road laid in his patta land. Since there was no action on the representations, the petitioner is before this Court with the above prayer.

4. Considering the facts and circumstances of the case, this Court, without going into the merits of the matter, directs the respondents 1 and 2 to consider the representations of the petitioner, the last one of which was dated 26.06.2013 and pass appropriate orders thereon, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, respondents 3 and 4 as well as other interested parties, if any.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To:

1. The Commissioner,
Madurai Corporation,
Arignar Anna Malligai,
Madurai - 625 020.

2. The Assistant Commissioner
Madurai Corporation,
Arignar Anna Malligai,
Madurai - 625 020.

+ 1 CC TO Mr.R.J.KARTHICK, ADVOCATE IN SR No. 91854
+ 1 CC TO Mr.R.PRABHU RAMACHANDRAN, ADVOCATE IN SR No. 91650

RM
TE/SV-MMS/SAR-4 : 21/12/2017 : 2P/5C

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