



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14939 of 2013

P.Thangaraj

.. Petitioner

Vs.

1.The District Collector,
Trichy

2.The Tahsildar,
Musiri Taluk Office,
Trichy District.

3.The Panchayath Union Commissioner,
Musiri Panchayath Union,
Trichy District.

4.The Block Development Officer, (Ke.voo)
Musiri,
Trichy District.

5.The Project Officer,
District Rural Development Agency,
Trichy District.

6.P.Periammal

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider and pass order on the Petitioner's representation dated 08.05.2013 and subsequent representation dated 18.06.2013, forbearing the 6th respondent not to encroach the petitioner's land in S.F.No.525/3, 4, 5, 6, Thiruthiyamalai Village, Musiri Taluk, Trichy District by using public money for laying road within time as stipulated by this Court.

For petitioner	:	Mr.Karthik
For Respondents 1 to 5	:	Mr.T.S.Md.Mohideen Additional Government Pleader
For 6 th Respondent	:	Mr.S.Satheeskumar



O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this writ petition to restrain the sixth respondent from putting up a road by encroaching upon his property in S.F.No.525/3, 4, 5, 6, Thiruthiyamalai Village, Musiri Taluk, Trichy District.

2. There is no question of issuing a Mandamus to the statutory authority not to take action to lay road. In case, there is an attempt to lay road through the private land owned by the petitioner, it is always open to him to approach the concerned Civil Court. Therefore, we do not find any reason for issuance of writ of mandamus. We make it clear that this order would not stand in the way of the petitioner from approaching the Civil Court for appropriate relief.

3. The writ petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS-III)

True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Trichy
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Musiri Taluk Office,
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3. The Panchayath Union Commissioner,
Musiri Panchayath Union,
Trichy District.
4. The Block Development Officer, (Ke.voo)
Musiri,
Trichy District.
5. The Project Officer,
District Rural Development Agency,
Trichy District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. NO.68393

+1cc to Mr.SKARTHIK Advocate in SR. No.67464

RJ2/VSG

JS/SKN.RSK/SAR.4/8.8.2017/2P-8C