

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.4088 of 2018
and
W.M.P.No.5014 of 2018

P.Kulandaivel

...Petitioner

- Vs -

The Executive Officer,
Sivagiri Town Panchayat,
Sivagiri Post,
Erode District.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus forbearing the respondent from in any way interfering with the peaceful possession and enjoyment of the Private Cart Track in respect of the property bearing Survey No.672/2 Punjai Hectare 0.14.5 (Old S.No.308/B) of Sivagiri Village, Kodumudi Taluk, Erode District due process of Law.

For Petitioner: Mr.N.Umapathi

For Respondent: Mrs.K.Bhuvaneswari

O R D E R

Heard Mr.N.Umapathi, learned counsel for the petitioner and Mrs.K.Bhuvaneswari, learned Standing Counsel appearing for the respondent. Perused the materials available on record.

2. According to the petitioner, he is the owner of the property in Survey No.672/2 (Old S.No.308/B) measuring an extent of 0.14.5 hectare situated at Sivagiri Village in Kodumudi Taluk, Erode District and he is in possession and enjoyment of the property.

3. The petitioner would allege that the respondent without any authority had prevented the petitioner from enjoying the private cart track formed in this land. Hence, the petitioner

has given a representation dated 31.01.2018 to the respondent. Since no reply was received, the petitioner has filed the present writ petition.

4. The learned standing counsel for the respondent, on instructions, submitted that the respondent has not prevented the petitioner from using the private cart track and there is no proposal to interfere in the private land of the petitioner.

5. Recording the statement of the learned standing counsel appearing for the respondent, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

ssn

To

The Executive Officer,
Sivagiri Town Panchayat,
Sivagiri Post,
Erode District.

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PPA (CO)
SP (16/04/2018)

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