

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.8958 of 2013

Tmt.Veerammal

... Petitioner

Vs.

1.The Principal Secretary and
Commissioner of Land Administration,
Chepauk, Chennai - 5.

2.The District Revenue Officer,
Ariyalur District, Ariyalur.

3.The Thasildhar,
Ariyalur Taluk, Ariyalur District.

4.Durairaj ... Respondents
(R-4 impleaded as per order
dated 02.07.2018 in M.P.No.1 of 2013
in W.P.No.8958 of 2013)

PRAYER: Writ Petition filed under Article 226 of the
Constitution of India praying for issuance of a Writ of Mandamus
to direct the third respondent to restore the pathway in Survey
No.472/25, Kovilur Madura, Chettikulam Village, Ariyalur Taluk,
Ariyalur District, in terms of the orders passed by the first
respondent in his proceedings in D.Dis (K4) 19860/2008, dated
20.05.2009.

For Petitioner : Mr.S.Kamadevan

For Respondents : Mr.N.Inbanathan
Additional Government Pleader
for R1 to R3

Mrs.R.T.Shyamala for R4

O R D E R

Heard Mr.S.Kamadevan, learned counsel for the petitioner; Mr.N.Inbanathan, learned Additional Government Pleader for the respondents 1 to 3 and Mrs.R.T.Shyamala, learned counsel for the fourth respondent and perused the materials available on record.

2. The petitioner has filed this Writ Petition for issuance of Writ of Mandamus, directing the third respondent to restore the pathway in Survey No.472/25, Kovilur Madura, Chettikulam Village, Ariyalur Taluk, Ariyalur District, in terms of the orders passed by the first respondent in his proceedings in D.Dis (K4) 19860/2008, dated 20.05.2009.

3. The case of the petitioner is that he owns house sites in Survey Nos.472/20 and 472/26 at Kovilur Madura, Settukudi Village. There is a pathway in Survey No.472/25, which leads to the house of the petitioner. While so, the fourth respondent had obtained patta in respect of the land in Survey No.472/25 to an extent of 675 sq.ft.

4. The issuance of patta by the Revenue Divisional Officer was challenged by the petitioner before the District Revenue Officer, Ariyalur, however, it was dismissed by the Appellate Authority. Eventually, the Commissioner of Land Administration, has set aside the orders issuing patta in favour of the fourth respondent and directed the third respondent to restore the original pathway. Alleging that the respondents have not implemented the order of the first respondent, the present Writ Petition has been filed.

5. The learned Additional Government Pleader submitted that the third respondent is bound to implement the order of the first respondent, but he needs some time.

6. In the light of the above submission, the third respondent is directed to restore the pathway formed in Survey No.472/25 as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. There is no order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

r n s

To

- 1.The Principal Secretary and
Commissioner of Land Administration,
Chepauk, Chennai - 5.
- 2.The District Revenue Officer,
Ariyalur District,
Ariyalur.
- 3.The Thasildhar,
Ariyalur Taluk,
Ariyalur District.

+1cc to Mr.S.Kamadevan, Advocate Sr.43673
+1cc to M/S.R.T.Shyamala, Advocate Sr.43842
+1cc to the Government Pleader Sr.44574

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W.P. No.8958 of 2013

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srg 25/07/2018