

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14236 of 2018

A.P.Venkatachalam

..

Petitioner

-vs-

1. The District Collector
Salem District, Salem
2. The Revenue Divisional Officer
Sankagiri Division
Sankagiri, Salem District
3. The Tahsildar
Edappadi Taluk
Edappadi, Salem District
4. The Block Development Officer
Edappadi Panchayat Union
Salem District
5. The Village Administrative Officer
Adiyur, Edappadi Taluk
Edappadi, Salem District
6. The Firka Surveyor
Edappadi Taluk
Edappadi, Salem District
7. K.Kuppusamy
8. K.Tamilarasan
9. K.Bhoopathy

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the respondents from utilizing the petitioner lands in Survey No.54/3A, 54/3B, 54/3C, 54/3E, 54/3L, 54/3D, 56/6, 56/3, 56/3, 56/5 a total extent of 2.26 Acres, Adiyur Village, Edappadi Taluk, Salem District for laying the road without any due process of law.

For Petitioner :: Mr.A.Esakkiappan
For Respondents :: Mr.V.Jayaprakash Narayanan
 Special Government Pleader
 for R1 to 6

ORDER

This writ petition has been filed seeking a mandamus forbearing the respondents from utilizing the petitioner's land in Survey Nos.54/3A, 54/3B, 54/3C, 54/3E, 54/3L, 54/3D, 56/6, 56/3, 56/3, 56/5 having a total extent of 2.26 Acres, Adiyur Village, Edappadi Taluk, Salem District for laying the road without any due process of law.

2. Before dealing with the submissions made by the learned counsel for the petitioner, it is to be noted that the patta copy enclosed at page-42 of the typedset clearly shows that one Mr.Palanisamy, Son of Ardhanari is the owner of the land in respect of Survey Nos.54/3B, 54/3E, 54/3L & 58/1H, whereas the petitioner claims that he is the owner of the land even in respect of Survey Nos.54/3A, 54/3C, 54/3D, 56/6, 56/3, 56/3, 56/5 without any basis. Hence, this Court is not inclined to entertain the writ petition, since he has come to this Court with unclean hands. Secondly, the representation dated 15.5.2018 said to have been submitted also wrongly mentions that the petitioner is the owner of the land covered from Survey Nos.53 to 58 without any proof whatsoever. Therefore, the writ petition is dismissed. Consequently, W.M.P.No.16809 of 2018 is also dismissed. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy// सत्यमेव जयते
Sub Assistant Registrar

ss

To

1. The District Collector
Salem District, Salem

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2. The Revenue Divisional Officer
Sankagiri Division
Sankagiri, Salem District

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Edappadi Taluk
Edappadi, Salem District

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Edappadi Panchayat Union
Salem District

5. The Village Administrative Officer
Adiyur, Edappadi Taluk
Edappadi, Salem District

6. The Firka Surveyor
Edappadi Taluk
Edappadi, Salem District

+lcc to Mr.A.Esakkiappan, Advocate sr.no.37983

W.P.No.14236 of 2018

vd(co)
nr 29/06/2018



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