

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.10.2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. 24960 of 2018

&

W.M.P. 29004 of 2018

S.R.Duraiswamy

... Petitioner

-Versus-

1. The Secretary to Government of
Tamil Nadu,
rep. by the Principal Secretary to
Government, Revenue Department,
Fort St. George, Chennai-9.
2. The Additional Chief Secretary and
Commissioner for Land Administration,
Ezhilagam, Chepauk,
Chennai-600 005
3. The District Collector,
Collectorate Building,
Coimbatore-641 018.
4. The District Revenue Officer,
Collectorate Building,
Coimbatore-641 018.
5. The Revenue Divisional Officer,
Coimbatore (North) Division,
Thudiyalur,
Coimbatore-641 034.
6. The Tahsildar,
Mettupalayam Taluk,
Sirumugai Road,
Coimbatore-641 301.
7. The Block Development Officer
Karamadai Panchayat Union,
Karamadai, Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents and its officials and servants from in any manner laying or forming public road or passage over the lands belong to the petitioner in Survey no.373/1A, 374/1A1 of Illupanthan Village, Mettupalayam Taluk, Coimbatore District without following due process of law and consequentially direct the respondents to remove the mud road laid on 08.09.2018 over the petitioner's land comprised in Survey No.373/1A, 374/1A1 of Illupanthan Village, Mettupalayam Taluk, Coimbatore District by demarcating the same.

For Petitioner : Mr.P.Mubarak Basha
For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader
for R1 & R2
: Mr.E.Balamurugan,
Special Government Pleader
for R3 to R6

ORDER

This writ petition has been filed seeking for a direction to the 3rd respondent to construct drainage channel in R.S.No.159/03 at Kudavasal village.

2. According to the petitioner, the 3rd respondent village Panchayat is not providing proper drainage channel adjacent to his land, which is causing nuisance to the general public in that area. In the said circumstances, the petitioner has sent a representation to the respondents, especially, the 3rd respondent on 03.09.2018 to provide drainage channel, but his representation was not considered. Hence, the present Writ Petition has been filed by the petitioner.

3. I have considered the rival submissions and perused the records carefully.

4. Considering the limited prayer sought in the Writ Petition, without going into the merits of the case, the 3rd respondent is directed to consider the petitioner's representation and pass suitable orders on merits and in accordance with law within a period of six weeks from the date of receipt of the copy of this order.

5. In the result, this writ petition is disposed of with the above directions. No costs. Consequently, connected W.M.P. is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Principal Secretary to Government,
The Secretary to Government of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai-9.
2. The Additional Chief Secretary and
Commissioner for Land Administration,
Ezhilagam, Chepauk, Chennai-600 005
3. The District Collector,
Collectorate Building,
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7. The Block Development Officer
Karamadai Panchayat Union,
Karamadai, Coimbatore.

+1 cc to Mr.P.Mubarakbasha, Advocate Sr.No.69384
+1 cc to The Government Pleader, Sr.No.70163

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and
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BR(CO)
CSL/05.12.2018