



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. (MD) No.6861 of 2018

R.Thangamani

... Petitioner

-Vs-

1. The District Collector,
Dindigul District.

2. The Tahsildar,
Vedasanthur Taluk,
Dindigul District.

3. The Firka Surveyor,
Kottanatham Firka,
Vedasanthur Taluk,
Dindigul District.

4. Chidambaram

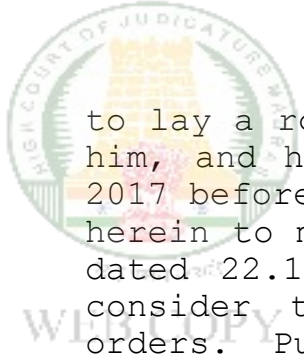
... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 19.03.2018 and direct the respondents not to formulate any pathway in the petitioner's land situated in S.No.308 in Karungal Village, Vedasanthur Taluk, Dindigul District for the benefit of the 4th respondent.

For Petitioner : Mr.A.K.Manickam
For R1 to R3 : Mr.Aayiram K.Selvakumar,
Additional Government Pleader.

ORDER

According to the petitioner, the lands measuring 8.5 acres and 3.5 acres comprised in S.Nos.308 and 309 situated in Karungal Village, Vedasanthur Taluk, Dindigul District belong to the petitioner's father, one Rajalingam. After his demise, the lands were partitioned between the petitioner and his brother / 4th respondent herein equally. Subsequently, the petitioner sold an extent of 3.15 acres in S.No.308, which is situated in the western side of S.No.308, to the 4th respondent. The remaining portion of the property in S.No.308 is situated in the eastern side of S.No.308, belongs to the petitioner. Now the 4th respondent wants



to lay a road in S.No.308 in the area where the property belongs to him, and he has also filed a writ petition in W.P.(MD)No.24037 of 2017 before this Court, seeking a direction to the second respondent herein to measure and survey the property. This Court, by an order dated 22.12.2017, directed the second respondent / Tahsildar, to consider the 4th respondent's representation, and pass suitable orders. Pursuant to the same, now, the authorities are taking steps to lay a road. In the said circumstances, the present writ petition has been filed.

2.Considering the fact that already this Court directed the second respondent to measure the property by considering the representation of the fourth respondent. If the petitioner has any grievance in measuring the property, it is always open to him to approach the second respondent and submit his objections, and if any such objections are submitted, the second respondent is directed to consider the petitioner's objections, and pass suitable orders on merits and in accordance with law.

3.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District.
2. The Tahsildar,
Vedasanthur Taluk,
Dindigul District.
3. The Firka Surveyor,
Kottanatham Firka,
Vedasanthur Taluk,
Dindigul District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 59511
+ 1 CC TO Mr.A.K.MANICKAM, ADVOCATE IN SR No. 58637

MYR

TE/KKR/SAR-4 : 12/04/2018 : 2P/6C

W.P (MD) No.6861 of 2018
28.03.2018