



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.04.2018

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CORAM :

THE HONOURABLE MR.JUSTICE C.T.SELVAM
And
THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

W.P(MD)No.8343 of 2018
and
W.M.P.(MD)No.7900 of 2018

P.Muniyandi

... Petitioner

vs.

1. The District Collector,
Trichy District,
Trichy.
2. The Block Development Officer,
Vaiyampatti Panchayat Union,
Manapparai Taluk,
Trichy.
3. The Village Panchayat Secretary,
Nallampillai Village Panchayat,
Manapparai Taluk,
Trichy District.

... Respondents

Prayer: Petition 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 dated 26.03.2018 and to establish the Amma Park under THAI (Tamil Nadu Village Habitation Improvement) Scheme, by leaving at least 50 fts. Away towards Western side from the proposed place and without obstructing the passage used by the villagers as their ingress and egress to reach the agricultural fields in Navakinathupatti, Nallampillai Village, Manapparai Taluk, Trichy District.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For Respondent No.1 : Mr.M.Pandiarajan, AGP

For Respondents
No.2 & 3 : No appearance



ORDER

(Order of the Court was made by C.T.SELVAM, J.)

By consent, Writ Petition itself, is taken up for final disposal.

2.Mr.M.Pandiarajan, Learned Additional Government Pleader takes notice for first respondent.

3.Petitioner, a person resident at Nallampillai Village Panchayat, contents that in putting up of a park under Tamil Nadu Village Habitation Improvement Scheme at Nallampillai Village, Manaparai Taluk, Trichy District, respondents would be obstructing the passage used by villagers as ingress to and egress from their agricultural fields and seeks a direction that the park proposed to be put up by respondents may be put up 50 feet away towards western side of the area identified by respondents for such purpose as doing so, would result in non impediment of ingress to and egress from the fields of agriculturists.

4.Learned counsel for petitioner submits that petitioner has made a representation on 26.03.2018 to the respondents that there is much vacant space, which can be utilized without affecting the passage presently available.

5.We have heard learned counsel for petitioner as also learned Additional Government Pleader appearing for first respondent.

6.In the facts and circumstances, this Court consider it appropriate to direct the respondents to consider the representation of the petitioner dated 26.03.2018 and pass orders on merits and in accordance, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected W.M.P.is closed.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Trichy District,



2.The Block Development Officer,
Vaiyampatti Panchayat Union,
Manapparai Taluk,
Trichy.

WEB COPY

3.The Village Panchayat Secretary,
Nallampillai Village Panchayat,
Manapparai Taluk,
Trichy District.

+1CC to Spl. Government Pleader, Sr.61930

MPK/NBJ

JM/KKR/SAR-I/17.05.2018/3P-5C

Order made in

W.P (MD) No.8343 of 2018
and
WMP (MD) No.7900 of 2018

17.04.2018