

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.13254 of 2020

Ponnammal

...Petitioner

Vs.

- 1 The collector
Office of the District Collector
Namakkal District.
- 2 The Revenue Divisional Officer
O/o. Revenue Divisional Officer
Tiruchengode
Namakkal District.
- 3 The Assistant Director (Panchayat)
Office of the District Collector
Namakkal District.
- 4 The Block Development Officer
Ezhichipalayam, Namakkal District.
(Village name is modified as per the
order of this Court dated 28.09.2020)
- 5 Thangarasu alais Vengatrajan
Panchayat Head
Koundampalayam
Kumaramangalam Post
Tiruchengode, Namakkal District.
- 6 Sakthivel
Union Councillor
67 Kottangadu
Rayarpalayam Post
Tiruchengode,
Namakkal District.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 to consider the representation dated 02.09.2020 and consequently forbear the respondents 5 and 6 from entering and measuring patta land in survey number. 310/6 in Koundampalayam Village and Survey Number. 152/2 in Kilapalayam Village for the purpose of forming the new road

without any prior notice.

For Petitioner : Mr.K.Pragadeesh Kumar
For Respondents: Mr.E.Balamurugan
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 02.09.2020, wherein the petitioner has sought for forbearing the respondents 5 and 6 from entering into the subject property.

2. The case of the petitioner is that she is the absolute owner of the subject property and the patta also stands in the name of the owner of the property, whereas respondents 5 and 6 are taking hasty steps to lay a road in the property.

3. Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of the respondents 1 to 4 submitted that he has received written instructions from the respondents 2 and 4. The written instructions were also circulated through e-mail to this Court.

4. Learned counsel submitted that the earlier proposal has been abandoned and an alternative site has also been chosen for the purpose of laying the road. Learned counsel submitted that the written instructions can be taken note of and appropriate orders can be passed in this case.

5. Taking into consideration the facts and circumstances of the case and also the subsequent development that has been taken in this case, the submission of the learned Special Government Pleader is hereby recorded and the written instructions received from the second and fourth respondents are also taken on file. It is made clear that the property belonging to the petitioner will not be used for the purpose of laying the road.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

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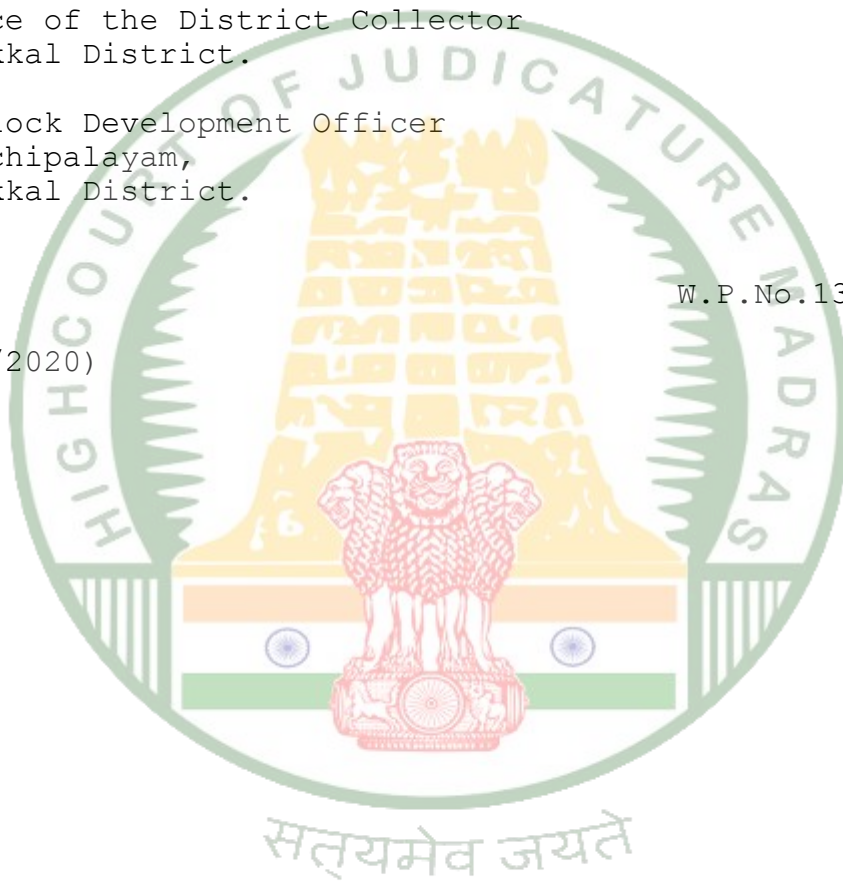
Sub Assistant Registrar

mra
To

- 1 The collector
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O/o. Revenue Divisional Officer
Tiruchengode, Namakkal District.
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- 4 The Block Development Officer
Ezhichipalayam,
Namakkal District.

AJS (CO)
RMP (24/11/2020)

W.P.No.13254 of 2020



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