



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 31.01.2020**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA**

**W.P (MD) No.1978 of 2020**

**and**

**W.M.P. (MD) No.1649 of 2020**

O.J.Murugesan

... Petitioner

Vs.

1) The Special Officer and Director,  
Boomthana Board,  
Panagal Building, Saidapet,  
Chennai 600 015

2) The District Collector,  
Theni District,  
Theni.

3) The Executive Officer,  
Palanichettipatty Town Panchayat,  
Theni, Theni District.

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the 3<sup>rd</sup> respondent from laying any road on the petitioner's property bearing survey No.57/2A1, in Veerapandi village, Palanichetty Patti, Theni, Theni District.

For Petitioner : Mr.K.Samidurai

For Respondents : Mr.Aayiram K.Selvakumar,  
Additional Government Pleader

**O R D E R**

The Writ Petition has been filed to forbear the 3<sup>rd</sup> respondent from laying any road on the petitioner's property bearing survey No.57/2A1, in Veerapandi village, Palanichetty Patti, Theni, Theni District.



2. The case of the petitioner is that he has been in possession and enjoyment of the property bearing survey No.57/2A1, in Veerapandi village, Palanichetty Patti, Theni District measuring an extent of 50 cents. This land was assigned by Boomithan Board to the petitioner by proceedings dated 23.01.1986 and the petitioner has been cultivating the same for the past 33 years. A writ petition was filed in W.P.(MD) No.20822 of 2000 before this Court by a group of persons seeking for a direction to allot the said lands in favour of their name and this Court dismissed the same on 28.03.2003. The adjacent lands of the petitioner's property were converted into plots and have constructed houses. On 02.03.2019, when the petitioner tried to put up a fence in his property, it was intervened by some unknown persons. In this connection, the petitioner has given a representation dated 27.01.2020 to the second respondent to take immediate action.

3. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, appearing for the respondents, upon instructions submits that vide proceedings No.2 of 2019 dated 28.01.2020, the third respondent had sent a communication stating that the road laying work in S.No.57/2A1 Patta No.1446 belonging to the petitioner is temporarily stopped and the said communication is also sent to the petitioner, and the same was acknowledged by the petitioner.

4. In view of the aforesaid communication dated 28.01.2020, the writ petition is disposed of. No costs. Consequently, connected W.M.P.(MD) No.1649 of 2020 is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Sts

To

1) The Special Officer and Director,  
Boomthana Board,  
Panagal Building, Saidapet,  
Chennai 600 015

2) The District Collector,  
Theni District,  
Theni.

<https://hcservices.ecourts.gov.in/hcservices/>



3) The Executive Officer,  
Palanichettipatty Town Panchayat,  
Theni, Theni District.

+1 CC to SPL.GP ( SR-4405[F] dated 03/02/2020 )

+1 CC to Mr.K.SAMIDURAI, Advocate ( SR-4729[F] dated 04/02/2020 )

Order made in  
**W.P (MD) No.1978 of 2020**  
**31.01.2020**

VB(17.02.2020) 3P 6C