



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2020

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THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P (MD) .No.8779 of 2020

and W.M.P. (MD) .No.8063 of 2020

WEB COPY

Thangapandian

.. Petitioner

Vs.

1.The Regional Manager cum Authorised Officer,
The Hindustan Petroleum Corporation Ltd.,
Tiruchirappalli Retail Regional Office,
No.90, 2nd Floor, MDSR Enclave,
Bharathithasan Road,
Cantonment, Trichy.

2.The Project Director cum Executive Engineer,
National Highways Authority of India,
Trihy. Trichy District.

3.M/s.Atchaya Enterprises (HPCL Petrol Bunk),
Rep. by its Managing Partner Thirumoorthi,
HPCL Dealer, Valasupatti, Kovilpatti Post,
Marungapuri Taluk, Trichy District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of Mandamus forbearing the respondents 1 and 3 from laying the service road in the petitioner's patta land comprised in Pula No.14/1 and 14/2 bearing patta No.213 situated at Prampatti Revenue Village, Valasupatti, Kovilpatti Village, Marungapurai Taluk, Trichy District till the disposal of the petitioner's representation dated 06.03.2020 made to the 1st and 2nd respondents in the manner known to law beside directing the 2nd respondent to demarcate the disputed land by surveying the same within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.M.Sridharan for R1
Mr.Arul Vadivel @ Sekar for R2
Mr.AN.Ramanathan for R3

ORDER

Heard the learned counsel on either side.

2.The prayer in the writ petition is that the respondents 1 to 3 should not lay any service road on petitioner's patta land comprised in P.No.14/1 and 14/2 at Prampatti Revenue Village.



3.This Court wanted the learned Standing counsel appearing for the National Highways Authorities to conduct an Inspection and submit report.

4.The learned Standing counsel submitted in categorical terms that no road is being laid on the petition mentioned patta lands belonging to the writ petitioner. Therefore, the petitioner does not have any cause of action to maintain this writ petition.

5.Recording the submission of the learned Standing counsel, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

6.The petitioner states he wants to apply to the second respondent seeking the right of access to his lands. The petitioner is always having the liberty to move the second respondent and it is for the second respondent to decide in accordance with law.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Project Director cum Executive Engineer,
National Highways Authority of India,
Trihy. Trichy District.

+1 CC to Mr.AN. RAMANATHAN, Advocate (SR-15901[F] dated
04/09/2020)

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