



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2020
CORAM

THE HONOURABLE **MR. JUSTICE G.R. SWAMINATHAN**

W.P. (MD)No.11461 of 2020
and
W.M.P. (MD)No.10014 of 2020

D.Gopikannan

... Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Block Development Officer,
Dindigul Union, Dindigul West Taluk,
Dindigul District.

3.The President,
Chettinayakkanpatti Panchayat,
Dindigul West Taluk,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus forbearing the respondents from laying the Thar road in S.F.No.261/5B having patta in No.1193 and in S.F.No.262/7, 262/8 having patta in No.498 situated at, Chettinayakkanpatti Panchayat, Alaguwarpatti Village, Dindigul West Taluk, Dindigul district and consequently direct the respondents to lay proposed Thar road in Government poromboke land bearing S.F.No.263 of the same village based on the petitioner's representation dated 24.08.2020.

For Petitioner : Mr.A.Arul Jenifer

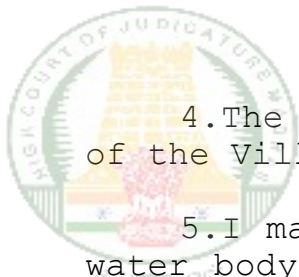
For Respondents : Mr.S.Angappan
Government Advocate

ORDER

Heard the learned counsel appearing on either side.

2.The petitioner's apprehension is that the respondents are about to form a Thar road on his petition mentioned patta land.

3.The learned Government Advocate makes it clear that the respondents will not touch the petitioner's patta land.



4.The said submission is recorded. It appears that Section 263 of the Village is an Odai and a Thar road is to be laid on the bund.

5.I make it clear that under no circumstances the width of the water body will be reduced or affected. Now an allegation is made that the petitioner has made some encroachment. If that be so, appropriate survey can be undertaken, notice may be given and after due enquiry, action may be taken against the petitioner.

6.With this direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The Block Development Officer,
Dindigul Union, Dindigul West Taluk,
Dindigul District.
- 3.The President,
Chettinayakkanpatti Panchayat,
Dindigul West Taluk,
Dindigul District.

+1 CC to M/s.Special Govt.Pleader (SR-16935[F] dated 15/09/2020)

W.P. (MD)No.11461 of 2020
14.09.2020

pnn

SDS (22.09.2020) 2P-5C