



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.10.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

WEB COPY

W.P. (MD)No.14217 of 2020

and

W.M.P. (MD) .No.11873 of 2020

Periyasamy

... Petitioner

Vs

1.The District Collector,
Thanjavur District, Thanjavur.

2.The Revenue Divisional Officer,
Thanjavur District, Thanjavur.

3.The Block Development Officer,
Panagal Building, Thanjavur, Thanjavur District.

4.The Tahsildar,
Taluk office, Thanjavur, Thanjavur District.

5.The President,
Nanchikottai Village Panchayat,
Nanchikottai, Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing respondents from laying thar road from Nanchikottai Bypass Road to Thulukkampatti in Survey Nos.166/9 and 168/10 situated at Nanchikottai Village, Thanjavur Taluk, Thanjavur District on the basis of the petitioner's representation dated 22.09.2020.

For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.C.Ramar
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to forbear the respondents from laying thar road from Nanchikottai Bypass Road to Thulukkampatti in Survey Nos.166/9 and 168/10, situated at Nanchikottai Village, Thanjavur Taluk, Thanjavur District, on the basis of the petitioner's representation dated 22.09.2020.



2. Mr.C.Ramar, learned Additional Government Pleader accepts notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, the property in Survey Nos.166/9 and 168/10, measuring to an extent of 28 cents, situated at Nanchikottai Village, Thanjavur Taluk, Thanjavur District, is absolutely owned by him. According to him, the respondents are laying thar road in the aforementioned property, which is under his absolute ownership. He has given a representation on 22.09.2020, requesting the respondents not to lay thar road in his property. According to the petitioner, till date, the said representation has not been considered by the respondents. In such circumstances, this Writ Petition has been filed.

4. The relief sought for by the petitioner is an innocuous relief. The contention is that the respondents are laying thar road in his property. He has given a representation on 22.09.2020 requesting them not to lay thar road in his property. Admittedly, the said representation has not been considered till date by the respondents on merits and in accordance with law. No prejudice will be caused to the respondents, if such a direction is issued by this Court.

5. For the foregoing reasons, this Court directs the respondent Nos. 3 to 5 to consider the petitioner's representation dated 22.09.2020 requesting them not to lay thar road in his property, comprising in Survey Nos.166/9 and 168/10, situated at Nanchikottai Village, Thanjavur Taluk, Thanjavur District, on merits and in accordance with law and pass final orders within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Cr1.Side)

// 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,
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Nanchikottai, Thanjavur District.

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tsg

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