



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.11.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.16898 of 2020

R.Marithangam

... Petitioner

Vs

1.The Member Secretary,
Local Town Country Planning,
Madurai-2.

2.The Executive Officer,
Paravai Selection Grade Town Panchayat,
Paravai, Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to allow the petitioner to have an access to Dindigul-Madurai Road from the approved layout road, through the existing public road yellow coloured as agreed in the approved layout and to grant any other relief.

For Petitioner: Mr.C.Kalairasu

For R-1 : Mr.C.Ramesh
Special Government Pleader

For R-2 : Mr.K.Mu.Muthu
Additional Government Pleader

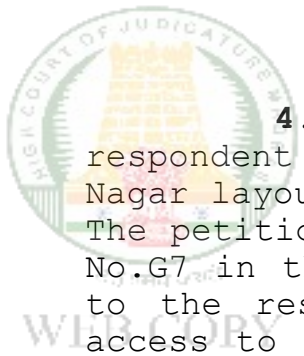
ORDER

(This Petition was heard through the Video Conferencing)

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to allow the petitioner to have an access to Dindigul-Madurai Road from his approved layout at Parvai 1 bit village, North Taluk, Madurai District.

2. Mr.C.Ramesh, learned Special Government Pleader accepts notice on behalf of the first respondent and Mr.K.Mu.Muthu, learned Additional Government Pleader accepts notice on behalf of the second respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard Mr.C.Kalaiarasu, learned counsel for the petitioner, Mr.C.Ramesh, learned Special Government Pleader for the first respondent and Mr.K.Mu.Muthu, learned Additional Government Pleader for the second respondent.



4. It is the case of the petitioner that the second respondent has locked the access to Dindigul-Madurai Road from AIBEA Nagar layout at Parvai 1 bit village, North Taluk, Madurai District. The petitioner claims that he is the owner of the plot namely, Plot No.G7 in the aforementioned layout. He has given a representation to the respondents on 26.10.2020 seeking permission to have the access to Dindigul-Madurai Road. According to him, till date, the said representation has not been considered by the respondents. In such circumstances, this Writ Petition has been filed seeking for a Mandamus to direct the second respondent to allow the petitioner to have the access to Dindigul-Madurai Road from the approved layout nearby the AIBEA Nagar layout.

5. This Court cannot issue a positive direction as sought for by the petitioner in this Writ Petition. He has sought for a Mandamus to direct the second respondent to allow him to have an access to Dindigul-Madurai Road from the approved layout which is nearby the AIBEA Nagar layout. The only relief that can be granted by this Court is to direct the second respondent to consider the petitioner's representation dated 26.10.2020 seeking for having the access from his plot in the approved layout nearby AIBEA Nagar layout at Parvai 1 bit village, North Taluk, Madurai District to Dindigul-Madurai Road through the existing public road and pass final orders on merits and in accordance with law, within a period of eight 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.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

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 Member Secretary,
Local Town Country Planning,
Madurai-2.

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



2.The Executive Officer,
Paravai Selection Grade Town Panchayat,
Paravai, Madurai District.

+1 CC to M/s.C.KALAI ARASU, Advocate (SR-23209[F] dated
30/11/2020)

+1 CC to SGP (SR-23366[F] dated 30/11/2020)

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NR (17/12/2020) 3P : 5C