



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.07.2020

CORAM :

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

W.P(MD).No.7969 of 2017

M.Mahalakshmi

... Petitioner

Vs.

1.The District Collector,  
Collectorate, MADURAI.

2.The Special Deputy Collector (GDP)  
Madurai District.

3.The Block Development Officer,  
Tirumangalam.

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondents to consider the representation dated 23.01.2017 to the District Collector in the Madurai Collector Office, within a stipulated time by this Hon'ble Court.

For Petitioner : Mr.K.Krishna

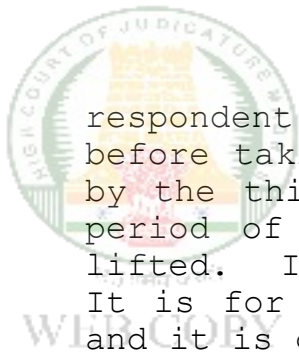
For Respondents : Mrs.S.Srimathy  
Special Government Pleader

**ORDER**

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

2.The petitioner's grievance is that the regular pathway, which she was using, has now been blocked by a third party by name M.Thavamani. The petitioner is now constrained to use the vacant lands of the panchayat. If the panchayat puts up any construction in future, the petitioner may totally be deprived of any access to her property. The petitioner has given a representation in this regard to the District Collector. The petitioner wants the same to be considered. It is seen that the petitioner is residing in the property in question for more than 25 years. She has also been remitting the necessary statutory dues.

3.The petitioner wants provision of a common pathway. The petitioner's house is said to be located in Kappalur Panchayat. If that be so, it is for the third respondent, who will have to take action in the matter. The third respondent will see if any common pathway has been encroached and if that be so, it is the duty of the local authority to clear the encroachment. Ofcourse, the third



respondent will have to put all the interested parties on notice before taking final action. The entire exercise shall be concluded by the third respondent within a period of twelve(12) weeks. The period of twelve(12) weeks will commence after the lock down is lifted. I make it clear that I have not predetermined the matter. It is for the third respondent to hear all the interested parties and it is open to the petitioner to place all the relevant materials before the third respondent. The third respondent will take a final decision only thereafter.

4.The Writ Petition is disposed of on these terms. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

**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,  
Collectorate, MADURAI.
- 2.The Special Deputy Collector (GDP)  
Madurai District.
- 3.The Block Development Officer,  
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