



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.34571 OF 2012

AND

MP.NO.1 OF 2012

CNKA. Periyasamy

.. Petitioner

Versus

1. The District Collector,
Salem.

2. The Commissioner,
Salem Corporation,
Salem.

3. The Thasildar
Salem.

.. Respondents

This Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the respondents herein from laying road and other purposes on the petitioner's private patta land existing in T.S. No. 10 in Ward No. N Block 39 of Salem Town.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.Stalin Abhimanyu
Government Counsel (For R1 & R3)
Mrs.K.Bhuvaneswari (For R2)

ORDER

According to the petitioner, he had purchased a property in T.S.No.10, Ward No.N, Block No.39 of Salem Town measuring to an extent of 626 ½ sq.ft. through a sale deed dated 08.03.1996 bearing Doc.No.679 of 1996. By proceedings dated 11.02.2003 issued by the third respondent, joint patta was issued to him in respect of the said property and the petitioner has been in possession and enjoyment of the same, from the date of purchase. While so, the respondents have attempted to lay tar road on the petitioner's patta land without conducting necessary survey and



issuing any notice to him. Feeling aggrieved, the petitioner submitted representation on 13.02.2012 to the respondents requesting to survey the land before laying road. Finding no response on the same, he has come up with this writ petition, seeking a mandamus forbearing the respondents from laying road on the petitioner's patta land.

2.Today, when the matter was taken up for consideration, the learned counsel for the petitioner fairly submitted that the relief sought in this writ petition has become infructuous. However, he sought liberty to the petitioner to approach the authority concerned for any other relief.

3.Granted such liberty to the petitioner, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

dhk/rk

To

1. The District Collector,
Salem
2. The Commissioner,
Salem Corporation
Salem
3. The Tahsildar
Salem

+1cc to the Government Pleader, S.R.No.42660

W.P. No. 34571 of 2012

AJS (CO)
PM/07/10/2021