

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 01.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH
and
THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

W.P. No.11082 of 2021

D.Mathiyazhagan

.. Petitioner

Versus

1. The District Collector,
Salem District, Collectorate,
Salem.
2. The District Revenue Officer,
District Collectorate, Salem.
3. The Sub Collector,
Mettur Dam, Salem District.
4. The Tahsildar,
Mettur Taluk Office,
Mettur Dam, Salem District.
5. The Block Development Officer (V.P)
Nangavalli Panchayat Union Office,
Nangavalli, Mettur Tk.
Salem District.
6. The President,
Koonur Village Panchayat,
Santhaidanapatty,
Andikkarai Post, Mettur Tk.,
Salem District.
7. The Director of Agricultural
Marketing and Agri-Business
Estate CIPET II Main Road,
Guindy, Chennai.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus directing the respondents 1 to 6 to consider the representations of the petitioner dated 02.06.2020 and 09.03.2021, regarding provision of pathway through poramboke land to go to his agricultural filed and pass orders on merits and in accordance with law, within a limited time frame, after affording an opportunity of personal hearing and till then defer further construction of the building blocking the existing pathway.

For petitioner : Mr.G.Punniakoti
For respondents
for RR1 & 2 : Mr.M.Venkateswaran, G.A.
for RR3 to 8 : Mr.V.Kathirvelu

ORDER

(The Order of the Court was made by R.Subbiah, J)

The Writ Petition is heard through video conferencing.

2. This Writ Petition has been filed to issue a direction to the consider the respondents to consider the representations of the petitioner dated 02.06.2020 and 09.03.2021, regarding provision of pathway through poramboke land to go to his agricultural filed.

3. The sum and substance of the affidavit filed in this petition is as follows:

The petitioner is a resident of Karattupatti Panangudu, Mettur Taluk, Salem District and from the time of his forefathers, they have been using the land in survey No.446 (Government Thoppu Poramboke) as pathway to reach their land form the main road. Now, the authorities of the Taluk Office, Mettur were taking measurements of the lands including the said Poramboke land in S.No.446 for the purpose of constructing building for the use of Department of Agricultural and Marketing and Agri-Business on 29.05.2020 and 30.05.2020. Therefore, he made representations on 02.06.2020 and 11.07.2020 to provide pathway to go to his land in the event of constructing building in the said land. But the said representations have not been considered. Hence, the present petition.

4. Heard both sides and perused the materials available on record.

5. This Court, without going into the merits of the claim made by the petitioner, directs the fourth respondent to consider the representations of the petitioner dated 02.06.2020 and 11.07.2020 on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not made any opinion with regard to the merits of the claim made by the petitioner.

6. With the above observations and direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
Salem District, Collectorate,
Salem.
2. The District Revenue Officer,
District Collectorate,
Salem.
3. The Sub Collector,
Mettur Dam,
Salem District.
4. The Tahsildar,
Mettur Taluk Office,
Mettur Dam, Salem District.
5. The Block Development Officer (V.P)
Nangavalli Panchayat Union Office,
Nangavalli, Mettur Tk.
Salem District.
6. The President,
Koonur Village Panchayat,
Santhaidanapatty,
Andikkarai Post, Mettur Tk.,
Salem District.
7. The Director of Agricultural
Marketing and Agri-Business
Estate CIPET II Main Road,
Guindy, Chennai.

8. The Deputy Director,
Agricultural Marketing and Agri-Business,
Room No.404, Salem Collectorate,
Salem 636 001.

W.P. No.11082 of 2021

UM(CO)
A.SK(12.07.2021)