

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.9664 of 2020

A.Vasanth

.. Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Secretary,
Department of Revenue,
Fort St. George,
Chennai.

2. The District Collector,
Ariyalur District,
Collectorate,
Ariyalur.

3. The Revenue Divisional Officer,
Revenue Divisional Office,
Udayarpalayam Taluk,
Ariyalur District.

4. The Thasildar,
Udayarpalayam Taluk,
Jayankondam,
Ariyalur District.

5. The Block Development Officer,
Panchayat Union,
Jayankondam,
Ariyalur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to restrict the construction of the building only in the extent of S.No.911/23 T.Pottakollai, Thahthatnur Post, Udayarpalayam Taluk, Ariyalur and not to block the path way around it.

For Petitioner : Mr.L.Chandrakumar
for M/s.A.Mohamed Ismail

For Respondents : Mr.K.S.Suresh
Government Advocate

ORDER

(Order of the Court was made by SENTHILKUMAR RAMAMOORTHY,J.)

This writ petitioner seeks a direction to the respondents to restrict the construction of the building only in four cents of land in Survey No.911/23 of T.Pottakollia Thahthatnur Post, Udayarpalayam Taluk, Ariyalur, and not to block the pathway around it. The petitioner states that a representation was given in this regard on 13.07.2020, but no action has been taken thereon.

2. In several cases of this nature, this Court observed that it is not inclined to exercise discretionary jurisdiction in public interest litigation unless the matter involves significant public interest.

3. Accordingly, without examining the merits of the representation dated 13.07.2020, the official respondents concerned are directed to dispose of the same by a speaking order within a period of six weeks from the date of receipt of a copy of this order, after providing a reasonable opportunity to the affected parties. In the event the petitioner is aggrieved by such decision, it is open to the petitioner to pursue her remedies in accordance with law, otherwise than by a public interest litigation, after establishing her locus standi in that regard.

4. W.P.No.9664 of 2020 is disposed of on the above terms. There will be no order as to costs. Consequently, W.M.P.No.11782 of 2020 is closed.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To:

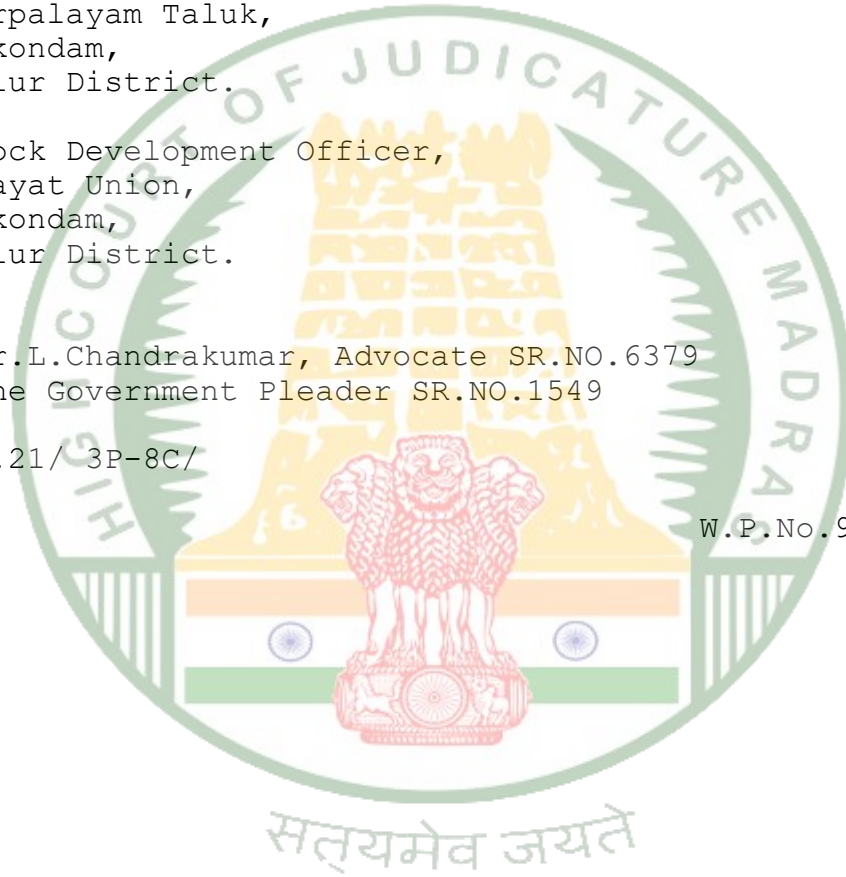
1. The Secretary,
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Chennai.

2. The District Collector,
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3. The Revenue Divisional Officer,
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Ariyalur District.

+1cc to Mr.L.Chandrakumar, Advocate SR.NO.6379
+1cc to The Government Pleader SR.NO.1549

AKM/18.02.21/ 3P-8C/

W.P.No.9664 of 2020
05.02.2021



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