



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 05.07.2021  
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Writ Petition No.10956 of 2020  
and W.M.P.No.13321 of 2020

B.A.Kirubamary

... Petitioner

Vs

1.The District Collector  
Tiruvannamalai  
Tiruvannamalai District.

2.The Additional Director  
Horticulture Department  
Tiruvannamalai  
Tiruvannamalai District.

3.The Executive Engineer  
Horticulture Department  
Tiruvannamalai  
Tiruvannamalai District.

4.The Tahsildar  
Jawadhu Hills Taluk  
Tiruvannamalai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1<sup>st</sup> respondent to allot 10 feet common way in Survey No.350 situated at Kovillor Village, Kalasapakkam Circle, Tiruvannamalai District.

For Petitioner

:Mr.M.Sathish Kumar

For Respondents

:Mr.Stalin Abimanyu, GA

#### ORDER

According to the petitioner, she is the absolute owner of the property situated in S.No.350/1, New S.No.350/1A at Koviloor Village, Kalasapakkam Circle, Tiruvannamalai District, by way of registered settlement deed bearing Doc.No.870 of 2015 dated 25.02.2015 and has been in possession of the same till date. Adjacent to the said property, there was a Government poramboke land and the same was used by her for agricultural purpose and also by the public as common pathway. While so, the respondents 2 and 3 started construction works in the said poramboke land. Due to the same, the common pathway was blocked, which caused



grave hardship to the petitioner in carrying on agricultural works. Therefore, she sent a representation dated 17.06.2020 to the respondents to allot a common pathway to an extent of 10 feet in Survey No.350 of Koviloor Village. However, the said representation was not considered, till date. Finding no other option, the petitioner has filed this writ petition seeking appropriate direction to the first respondent in this regard.

2.Today, when the matter was taken up for consideration, the learned counsel appearing for the petitioner submitted that it would suffice, if the first respondent is directed to consider the petitioner's representation and pass appropriate orders within a reasonable time to be fixed by this Court.

3.The learned Government Advocate appearing for the respondents has no serious objection for granting such relief to the petitioner.

4.Considering the limited relief now sought by the learned counsel for the petitioner, which has not been seriously opposed on the side of the respondents, this Court directs the 1<sup>st</sup> respondent to consider the petitioner's representation dated 17.06.2020 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as any other interested parties, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5.Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector  
Tiruvannamalai  
Tiruvannamalai District.

2.The Additional Director  
Horticulture Department  
Tiruvannamalai  
Tiruvannamalai District.



3.The Executive Engineer  
Horticulture Department  
Tiruvannamalai  
Tiruvannamalai District.

4.The Tahsildar  
Jawadhu Hills Taluk  
Tiruvannamalai District.

+1cc to Mr.Sathish Kumar , Advocate SR.No. 10956  
+1 cc to Government Pleader Sr.No. 31709

W.P.No.10956 of 2020

PCH(CO)  
A.SK(06.08.2021)