

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.13980 OF 2020

M.Krishnamurthy ... Petitioner

-vs-

1.State of Tamil Nadu,
rep. by Secretary to Government,
Department of Revenue,
Fort St.George,
Chennai 600009

2.The District Collector,
Tiruvannamalai District

3.The Tahsildar,
Polur Taluk,
Tiruvannamalai Distrit.

4.The President,
Irumpuli Kalpattu Panchayat
Kalpattu village,
Polur Taluk,
Tiruvannamalai District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus directing the 2nd respondent to take necessary steps to restore the original mud road situate to the southern side of the Vellavari water channel and lay a proper 'thaar' road over the same as described above in Irumpuli Kalpattu Panchayat at Irumpuli Village, Polur Taluk, Tiruvannamalai District within a time frame.

For petitioner : Mr.S.Arunkumar

For respondents : Mr.R.Vijayakumar, A.G.P.,
for respondents 1 to 3

ORDER

(Made by The Hon'ble Chief Justice)

This is another case of a petitioner carrying a public interest litigation for the removal of an encroachment. In view of the order passed on 20.01.2021 in W.P.No.981/2021 (N.Shanmugam vs. Government of Tamil Nadu), the writ petitioner is permitted to approach the appropriate local authorities with a formal representation, if not already done. The appropriate local authorities should look into the representation and take appropriate steps in accordance with law within a reasonable time. In the event the writ petitioner is aggrieved by the decision or the failure on the part of the appropriate authorities to take any action, the writ petitioner will be entitled to pursue the remedies available in accordance with law but otherwise than by way of a public interest litigation.

2. W.P.No.13980 of 2020 is disposed of without any order as to costs. Consequently, miscellaneous petition W.M.P.No.17363 of 2020 is also closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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TO

1.The Secretary to Government,
Department of Revenue,
Fort St.George, Chennai 600009

2.The District Collector,
Tiruvannamalai District

3.The Tahsildar,
Polur Taluk,
Tiruvannamalai Distrit.

4.The President,
Irumpuli Kalpattu Panchayat
Kalpattu village, Polur Taluk,
Tiruvannamalai District

+1cc to the Government Pleader, S.R.No.3697

SV(CO)
SM (09/02/2021)

W.P.No.13980 OF 2020