



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2021

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.14723 of 2021

&

WMP No.15627 of 2021

Karuppan

...Petitioner

-Vs-

1. The District Collector,
Kallakurichi District.
2. The Block Development Officer,
Kallakurichi Union,
Kallakurichi District.
3. Kannan
4. Karthi

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent forbearing the respondents 2 to 4 from forming a public road in the petitioner's patta land situated in S.No.209/1B2, at Porpadakuruchi Village, Kallakurichi District without giving any notice or seeking consent from the petitioner.

For Petitioner : Mr.Udaykumar
for M/s.Karan & Uday

For Respondents : Mr.A.Selvendran, GA for RR1
Mr.V.Manohar for R2

ORDER

This Writ Petition has been filed seeking a direction to the first respondent forbearing the respondents 2 to 4 from forming a public road in the petitioner's patta land situated in S.No.209/1B2, at Porpadakuruchi Village, Kallakurichi District without giving any notice or seeking consent from the petitioner. Taluk and Kancheepuram District.

2.According to the petitioner, the property comprised in S.No.209/1B2, at Porpadakuruchi Village, Kallakurichi District belonging to the petitioner and he was also issued with patta for the aforesaid property. Whiles, the second respondent has made an attempt to lay a public road in the



aforesaid property. Therefore, he made a representation dated 26.06.2021 to the first respondent objecting the aforesaid action of the second respondent and requesting to stop the illegal laying of public road in a private property. However, no action has been forthcoming by the first respondent. Hence, the present Writ Petition has been filed.

3. Heard Mr. Udaya Kumar for M/s. Karan and Uday, learned counsel for the petitioner and Mr. A. Selvendran, learned Government Advocate appearing for the first respondent and Mr. V. Manohar, learned counsel for the second respondent.

4. In view of the submissions made and also considering the limited prayer made by the petitioner, without expressing any opinion, this Court directs the first respondent to consider the petitioner's representation dated 26.06.2021 and pass appropriate orders on merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order, if necessary after providing an opportunity of fair and effective hearing to the parties concerned.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Kallakurichi District.
2. The Block Development Officer,
Kallakurichi Union,
Kallakurichi District.

+1cc to Mr. V. Manohar, Advocate, S.R.No.34516

+1cc to the Government Pleader, S.R.No.34632

W.P.No.14723 of 2021

LN(CO)
RLP(09/08/2021)