



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2021

CORAM

THE HON'BLE MR. JUSTICE PARESH UPADHYAY
AND

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

W.A.No.2703 of 2021

S.Ramesh

..Appellant/Petitioner

Vs

1. The Deputy Director,
Urban Planning Officer,
Office of the Deputy Director
Urban Planning, Ranipettai District.
2. The District Registrar,
Office of the District Registrar,
Arakkonam, Ranipettai District.
3. The Block Development Officer,
Office of the Block Development Officer,
Arakkonam, Ranipettai District.
4. R.Dhuraikannu
5. Aandal

..Respondents/Respondents

Appeal preferred under Clause XV of Letters Patent against the order dated 04.06.2021 made in W.P.No.11446 of 2021.

Prayer in W.P.No.11446 of 2021: Writ of Mandamus directing the 1st respondent to consider the representation of the petitioner dated 12.09.2020 seeking action against the above respondents 4 and 5 for obstruction made in way of link road which was given gift to Deputy Director of Urban Planning Officer, Vellore, vide gift deed No.448/2020 dated 07.02.2020 subsequently a deed of rectification vide No.624/2020 dated 19.02.2020 at SRO -1 Aarkkonam by erecting stone fencing in "Munjunatha Nagar Layout" in front of the petitioners agricultural property, within the reasonable time to be fixed by this Honourable Court.

For Appellant . Ms.R.Poornima



JUDGMENT

(Delivered by PARESH UPADHYAY, J.)

Challenge in this appeal is made to the order passed by learned single Judge dated 04 June 2021 on W.P.No.11446 of 2021, whereby the writ petition is dismissed.

2. Grievance of the appellant was that the piece of land which was given by someone for public road has been obstructed by respondents 4 and 5 and that grievance be considered by the State authorities on the representation.

3. Learned single Judge has been pleased not to exercise discretion under Article 226 of the Constitution of India, which in our view, cannot be said to be an error apparent on the face of record, warranting any interference in an intra-court appeal.

4. While dismissing this appeal, we clarify that we have not gone into merits of the grievance voiced by the present appellant/original petitioner and in the event, appropriate proceedings are taken by the writ petitioner, the same may be decided without being influenced by the decision of learned single Judge or this order.

5. This writ appeal is dismissed with above clarification. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mmi/6

To

1. The Deputy Director,
Urban Planning Officer,
Office of the Deputy Director
Urban Planning, Ranipettai District.
2. The District Registrar,
Office of the District Registrar,
Arakkonam, Ranipettai District.



3. The Block Development Officer,
Office of the Block Development Officer,
Arakkonam, Ranipettai District.

+1CC to Mr.R.Poornima, Advocate, Sr.No.55717

W.A.No.2703 of 2021

CA (CO)
K.RK. (29.11.2021)