



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No. 26241 of 2021

M.Ethiraj

...Petitioner

-vs-

1. The District Collector,  
Coimbatore District, Coimbatore.

2. The Block Development Officer,  
Sulur Block Development,  
Pattanam Village, Sulur,  
Coimbatore District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to consider and pass order on the petitioner's representation dated 20.10.2021.

For Petitioner : Mr.B.Nambiselvan

For Respondents : Mrs.R.L.Karthika,  
Government Advocate for R1

Mr.P.Baladhandayatham  
Special Government Pleader for R2

O R D E R

The prayer sought for herein is for a writ of Mandamus directing the respondents to consider and pass order on the petitioner's representation dated 20.10.2021.

2. The case of the petitioner is that, the petitioner is having agricultural lands to the extent of 1.41 Acres at Survey No.251/3 at Pattanam Village, Sulur Taluk, Coimbatore District. In order to reach the said agricultural land, the petitioner had already been using the land at Survey No.253/1 part, where, subsequently a layout had been developed where there has been a reserved land which has been given to the second respondent for public purpose. Therefore, through the said reserved land, the petitioner and other persons who are having their agricultural



land like the petitioner, can be permitted to use it as approach road or cart track for undertaking agricultural activities at their land.

3. With regard to this, the petitioner has given a representation dated 20.10.2021 and since the same has not so far been considered, the petitioner has approached this court seeking for a writ of Mandamus.

4. Reiterating the aforesaid facts, the learned counsel for the petitioner would seek the indulgence of this Court by filing this writ petition.

5. Heard Mrs.R.L.Karthika, learned Government Advocate appearing for first respondent and Mr.P.Baladhandayatham, learned Special Government Pleader appearing for second respondent, who would submit that, whether the petitioner is having any right to have ingress and egress or to have an approach road in the said land, where he has sought for approach road, is to be decided first and accordingly, the representation dated 20.10.2021 would be decided by the second respondent, after giving an opportunity of being heard to the petitioner on merits and in accordance with law within a time frame that may be stipulated by this Court.

6. Having considered the said submission made by the learned counsel appearing for both the parties, especially the stand taken by the learned Special Government Pleader for second respondent in this regard, this Court is inclined to pass the following order:

That there shall be a direction to the respondents, especially the second respondent to consider the Petitioner's representation dated 20.10.2021 and pass order thereon, on merits and in accordance with law, within a period of 6 weeks from the date of receipt of a copy of this order.

7. With these directions, this writ petition is disposed of. No costs.

Sd/-  
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

rap/kst



To

1. The District Collector,  
Coimbatore District, Coimbatore.

2. The Block Development Officer,  
Sulur Block Development,  
Pattanam Village,  
Sulur, Coimbatore District.

+1cc to Mr.B.Nambiselvan, Petitioner Advocate, S.R.No.65350

+1cc to the Government Pleader, S.R.No.65316

W.P. No. 26241 of 2021

NR(CO)  
RGA(06/01/2022)