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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.213 of 2021

and

W.M.P.(MD)No.174 of 2021

Karuppudayar

... Petitioner

-Vs-

- 1.The District Collector,
Trichy,
Trichy District.
- 2.The Tahsildhar,
Manapparai Taluk Office,
Manapparai, Trichy District.
- 3.Manapparai Panchayat Union,
Represented by its Commissioner,
Manapparai, Manapparai Taluk,
Trichy District.
- 4.Block Development Officer,
Manapparai Panchayat Union,
Manapparai, Manapparai Taluk,
Trichy District.
- 5.Kannudayanpatty Panchayat,
Through its President,
Kannudayanpatty Village,
Manapparai Taluk,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from constructing building preventing his road access immediately on north of the petitioner's property situated at Survey No.157/9 of Muthapudayanpatti, Kannudayanpatty Village, Manapparai Taluk, Trichy District.



For Petitioner
For R1 & R2
For R3 to R5

: Mr.B.Rajesh Saravanan
: Mr.G.Arjunan
Government Advocate
: Mr.M.Pandiarajan
Additional Government Pleader

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ORDER

Heard the learned counsel on either side.

2.The petitioner has filed this writ petition for restraining the respondents from interfering with his access rights by putting up construction in the petition mentioned site.

3.I am afraid that this is a matter that can be gone into only by the Civil Court.

4.The learned counsel for the petitioner states that on 11.01.2021 itself, he will file a suit. Since the writ petition is being disposed of after giving notice to the Government Advocate, the Court below can even waive the requirements as regards Section 80 of C.P.C., The Court below shall number the suit immediately and take up the interim application immediately. I make it clear that I have not gone into the merits of the matter.

5.With this direction to the jurisdictional Civil Court, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned To

1.The District Munsif, Manapparai.

2.The District Collector,
Trichy,
Trichy District.



3.The Tahsildhar,
Manapparai Taluk Office,
Manapparai, Trichy District.

Copy to:

The Registrar(Judicial),
Madurai Bench of Madras High Court, Madurai.

W.P. (MD) No.213 of 2021

08.01.2021

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KK(08.01.2021) 3P 5C