



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **20.04.2021**

CORAM

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

**W.P. (MD)No.4784 of 2021**

**and W.M.P. (MD)No.3908 of 2021**

WEB COPY

R.Alagar

.. Petitioner

Vs.

1.The District Collector,  
Trichy District,  
Trichy.

2.The Sub Collector,  
Srirengam,  
Trichy.

3.The Revenue Divisional Officer,  
Srirengam,  
Trichy.

4.The Tahsildar,  
Marungapuri Taluk,  
Marungapurai,  
Trichy District.

5.The Block Development Officer,  
Marungapuri Panchayat Union,  
Marungapurai,  
Trichy District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents from laying the road in the petitioner's patta land comprised in Survey Nos.296/4A1, 296/4A2, 296/5A and 296/5B measuring about 0.15.00 Ares situated at Palakurichi Village, Marungapuri Taluk, Trichy District not otherwise than due process of law.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Ms.V.P.M.Vaishnavi,  
Government Advocate for R5.

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ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, forbearing the respondents from laying any road in the patta land belonging to the petitioner in Survey Nos.296/4A1, 296/4A2, 296/5A and 296/5B, measuring an extent of 0.15.00 Ares, situated at Palakurichi Village, Marungapuri Taluk, Trichy District.

2. The learned Government Advocate appearing on behalf of the fifth respondent based on the written instructions submitted that no road will be laid on the petitioner's patta land. The learned Government Advocate further submitted that the present Writ Petition has been filed only based on apprehensions.

3. The learned counsel appearing on behalf of the petitioner submitted that the petitioner had earlier approached this Court and filed W.P.(MD)No.4503 of 2017, seeking for the same relief and at that point of time, it was reported before this Court that there is no proposal to lay any road in the property belonging to the petitioner. However, in spite of making such a submission, the respondents, once again, took steps to inspect the property and removed the fencing. Therefore, the petitioner was forced to file the present Writ Petition.

4. Taking into consideration the facts and circumstances of the case and also the specific stand taken by the fifth respondent, there shall be a direction to the respondents not to lay any road on the patta lands belonging to the petitioner in Survey Nos. 296/4A1, 296/4A2, 296/5A and 296/5B. This positive direction is given by this Court on the ground that fifth respondent specifically has stated before this Court that no road will be laid on the patta land belonging to the petitioner.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

**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 Collector,  
Trichy District,  
Trichy.

2.The Sub Collector,  
Srirengam,  
Trichy.

3.The Revenue Divisional Officer,  
Srirengam,  
Trichy.

4.The Tahsildar,  
Marungapuri Taluk,  
Marungapurai,  
Trichy District.

5.The Block Development Officer,  
Marungapuri Panchayat Union,  
Marungapurai,  
Trichy District.

+1 CC to M/s.B.PRAHALAD RAVI, Advocate ( SR-16789[F] dated  
21/04/2021 )

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate ( SR-9990[F] dated  
10/03/2021 )

W.P. (MD)No.4784 of 2021  
and W.M.P. (MD)No.3908 of 2021  
20.04.2021

RK (29.04.2021) 3P 8C