



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8965 of 2021

and

W.M.P. (MD)No.6756 of 2021

WEB COPY

S.Vellaikannu

...Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivaganagi.
- 2.The District Revenue Officer,
Sivagangai District, Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai Division,
Devakottai, Sivagangai District.
- 4.The Tahsildar,
Singampunari Taluk,
Sivagangai District.
- 5.The Block Development Officer (V.P.),
S.Pudur Panchayat Union,
S.Pudur, Sivagangai District.
- 6.The President,
Dharmapatti Panchayat,
Singampatti Taluk,
Sivagangai District.
- 7.Chinnu

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 6 herein to make permanent 6 feet Thar road from Sathana Tank Kalungu to Megadu Village.

For Petitioner : Mr.S.Bharathi Kannan
For R1 to R5 : Mrs.M.Rajeswari
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to make a permanent six feet road from the Sathana Tank Kalungu to Megadu Village after removing



the encroachment made by the seventh respondent.

2. The case of the petitioner is that he is one of the residents of Singampunari Taluk. According to the petitioner, there is an access road which connects to the main road which was used by nearly 30 families, who were living in the hamlet. According to the petitioner, the pathway that was available was a six feet pathway. The grievance of the petitioner is that the seventh respondent had blocked the pathway by laying boulders and as a result of the same, the villagers are not able to use this pathway and they have to go around for more than 1 ½ kilometers to reach the main road.

3. A representation was made in this regard by the petitioner and the other villagers to the District Collector on 04.01.2021. The District Collector directed the fourth respondent to conduct an enquiry and a report was also called for. The grievance of the petitioner is that there has been absolutely no progress in the enquiry and the pathway continues to be blocked by the seventh respondent. Left with no other alternative, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.S.Bharathi Kannan, learned Counsel appearing on behalf of the petitioner and Mrs.M.Rajeswari, learned Government Advocate appearing on behalf of the respondents 1 to 5.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the fifth respondent to consider the representation made by the petitioner on 04.01.2021 and conduct an enquiry after calling for report from the third respondent and take necessary action strictly in accordance with law within a period of four (04) weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the fifth respondent along with all the relevant documents and also a copy of this order. A copy of the representation shall also be marked to the first and third respondents.

7. This Writ Petition stands disposed of with the above directions.No costs.Consequently, the connected miscellaneous petition is closed.

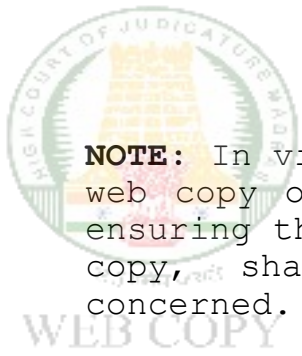
Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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,
Sivagangai District,
Sivaganagi.
- 2.The District Revenue Officer,
Sivagangai District, Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai Division,
Devakottai, Sivagangai District.
- 4.The Tahsildar,
Singampunari Taluk,
Sivagangai District.
- 5.The Block Development Officer (V.P.),
S.Pudur Panchayat Union,
S.Pudur, Sivagangai District.

+1 CC to M/s.S.BHARATHY KANNAN, Advocate (SR-18182[F] dated 30/04/2021)

+1 CC to M/s.G . P (SR-18472[F] dated 04/05/2021)

Order made in
W.P. (MD) .No.8965 of 2021

Dated:
30.04.2021

AS (07.06.2021) 3P 8C