



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.14680 of 2021

and

W.M.P (MD) .No.11612 of 2021

WEB COPY

P.Vijayakumar

... Petitioner

Vs.

1. The Tahsildar,
Kulithalai Taluk,
Karur District.

2. The Deputy Tahsildar,
Kulithalai Taluk,
Karur District.

3. The Block Development Officer,
(Village Panchayat),
Krishnarayapuram Union Officer,
K.R.Puram, Karur District.

4. The Panchayat President,
Innugoor Panchayat Officer,
Kulithalai Taluk,
Karur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider petitioner's representation dated 14.12.2020 to stop the illegal act of the constructing the overhead tank in S.F.No.192 which is said to be public road at Kakampatti Village, Innugoor Post, Kulithalai Taluk, Karur District.

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.P.Subbaraj,

Counsel for the State, for R1 and R2

O R D E R

The petitioner seeks to prevent the construction of an Over Head Tank in S.F.No.192, at Kakampatti Village, Innugoor Post, Kulithalai Taluk, Karur District.

2. The petitioner claims to be the owner of land bearing S.F.No.196/2. He asserts that the land bearing S.F.No.192 is classified as a ''Vandipathai'' in the relevant revenue records.



3. He states that he submitted a representation to the first respondent on 14.12.2020 and to the third respondent on 20.10.2020, but no action has been taken in respect thereof.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 and 2. He submits that the petitioner's representation may be directed to be considered and disposed of on merits.

5. The petitioner has produced a copy of the 'A' Register, which indicates that Survey No.195 is classified as "Arasu Poramboke and Vandipathai". Therefore, a case is made out to direct the first respondent to consider the petitioner's representation.

6. Accordingly, without going into the merits of the matter, the first respondent herein is directed to dispose of the petitioner's representation by a reasoned order after providing a reasonable opportunity to the petitioner and to any other person who would be affected by such order. Such reasoned order shall be passed within a period of three months from the date of receipt of a copy of this order.

7. In view of the nature of the order, notice to the respondents 3 and 4 is dispensed with.

8. W.P(MD).No.14680 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

To:

1. The Tahsildar,
Kulithalai Taluk,
Karur District.
2. The Deputy Tahsildar,
Kulithalai Taluk,
Karur District.



3. The Block Development Officer,
(Village Panchayat),
Krishnarayapuram Union Officer,
K.R.Puram, Karur District.

4. The Panchayat President,
Innugoor Panchayat Officer,
Kulithalai Taluk,
Karur District.

+1 CC to M/s.GP (SR-26758[F] dated 19/08/2021)

W.P. (MD) No.14680 of 2021

18.08.2021

MGJ(26.08.2021) 3P 6C