



WEB COPY

W.P.(MD)No.10225 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.10225 of 2021
and W.M.P. (MD) No.7928 of 2021

S.Joseph

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District.
- 2.The Tahsildar,
Thirupathur Taluk,
Sivagangai District.
- 3.The Block Development Officer,
Sakkottai, Sivagangai District.
- 4.The President,
Nemam Panchayat, Kundrakudi Post,
Thirupathur Taluk,
Sivagangai District.
- 5.The Managing Trustee,
Sri Jeyamkondacholeeswarar,
Sri Sowtharanayaki Amman Temple,
Nemam Village, Kundrakudi Post,
Thirupathur Taluk, Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Respondents 1 to 4 to lay a Paver Block East West pathway in the middle of the lands in S.No.240/14 and 240/15 and to remove the encroachments in the pathway bearing S.No.240/16 in Nemam Village, Thirupathur Taluk, Sivagangai District by considering the Petitioner's representation dated 03/05/21.

For Petitioner : Mr.K.Vinoharan

For Respondent Nos.1 & 2 : Mr.A.K.Manickam,
Standing Counsel for Government

For Respondent Nos.3 & 4 : Mr.R.Suresh Kumar
Standing Counsel for Government

For Respondent No.5 : Mr.Arun Swaminathan

* * * * *



ORDER

(Order of the Court was made by T. S. SIVAGNANAM, J.)

The petitioner seeks for a direction, directing the Respondents 1 to 4 to lay a Paver Block East West pathway in the middle of the lands in S.No.240/14 and 240/15 and to remove the encroachments in the pathway bearing S.No.240/16 in Nemam Village, Thirupathur Taluk, Sivagangai District by considering the Petitioner's representation dated 03/05/21.

2.In our considered opinion, it is for the authorities to take note of the demands of the public and we cannot decide as to in which place what type of road has to be laid. There appears to be some dispute between the petitioner and the fifth respondent. If it is so, it is for the officials to take a decision in the matter.

3.In the light of the above, the Writ Petition is disposed of by directing the first respondent to consider the representation of the petitioner dated 03.05.2021, after issuing notice to the petitioner and fifth respondent and take a decision on merits and in accordance with law as expeditiously as possible. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CSIII)

// 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.

Sj

To

1.The District Collector,
Sivagangai District.

2.The Tahsildar,
Thirupathur Taluk,
Sivagangai District.



3.The Block Development Officer,
Sakkottai, Sivagangai District.

4.The President,
Nemam Panchayat, Kundrakudi Post,
Thirupathur Taluk,
Sivagangai District.

+1 CC to M/s.G,PRABHU RAJADURAI, Advocate (SR-19614[F] dated 18/06/2021)

+1 CC to M/s.SPL GP (SR-19787[F] dated 21/06/2021)

W.P. (MD) No.10225 of 2021
17.06.2021

GS (23.06.2021) 3P 7C