



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.11898 of 2021

and

W.M.P.[MD]Nos.9341 & 9342 of 2021

S.Duraiirajaan

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Tiruchirapalli - 1.

2.The Revenue Divisional Officer,
Thiruverumbur Taluk Office,
Thiruverumbur,
Trichy - 14.

3.The Tahsildar,
Thiruverumbur Taluk Office,
Thiruverumbur,
Trichy - 14.

4.The Commissioner,
Trichirapalli City Corporation,
Trichy - 1.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 04.07.2021 in providing alternative site for Threshing Floor and consequentially direct the fourth respondent not to use the land in New Survey Number 106/2, Ellakkudi Village, Trichy District, measuring an extent of Hec.0.10.0.

For Petitioner : Mr.S.Vinod Sathya Lazar

For Respondents 1 to 3 : Mr.A.K.Manickam,
Standing Counsel for Government

For Respondent No.4 : No appearance



O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, this Writ Petition itself is taken up for final disposal.

2.We have heard Mr.S.Vinod Sathya Lazar, learned Counsel appearing for the petitioner and Mr.A.K.Manickam, learned Standing Counsel for Government appearing for the respondents 1 to 3.

3.This writ petition has been filed praying for a direction upon the respondents to consider the representation of the petitioner dated 04.07.2021 in providing alternative site for Threshing Floor and for a consequential direction to the fourth respondent not to use the land in New Survey Number 106/2, Ellakkudi Village, Trichy District, measuring an extent of Hec.0.10.0.

4.The learned Government Counsel on instructions from the respondents 2 and 3 submitted that six [6] weeks time may be granted to the authorities so as to conduct an inspection of the area and earmark specific portion for a Threshing Floor.

5.In the light of the said submission, we direct the representation of the petitioner dated 04.07.2021, to be considered by the respondents 2 and 3 and necessary enquiry be conducted and after spot inspection, appropriate action be taken in accordance with law. The above direction shall be complied with within a period of six [6] weeks. During the enquiry, it needs to be ascertained as to whether there is encroachment into the channel and pathway.

6.With the above observation, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector,
Collectorate,
Tiruchirapalli - 1.

2.The Revenue Divisional Officer,
Thiruverumbur Taluk Office,
Thiruverumbur,
Trichy - 14.

3.The Tahsildar,
Thiruverumbur Taluk Office,
Thiruverumbur,
Trichy - 14.

4.The Commissioner,
Trichirapalli City Corporation,
Trichy - 1.

+1 CC to M/s.GP (SR-23336[F] dated 20/07/2021)

W.P. [MD]No.11898 of 2021

16.07.2021

MGJ(26.07.2021) 3P 6C