



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 06.09.2021**

**CORAM**

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN  
and  
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

W.P (MD) No.15808 of 2021

and

WMP (MD) No.12731 of 2021

V.Paramasivam

... Petitioner

Vs.

1.The District Collector,  
Virudhunagar District,  
Virudhunagar.

2.The Assistant Director of Rural Development, (Panchayat),  
Virudhunagar,  
Virudhunagar District.

3.The Block Development Officer,  
Virudhunagar,  
Virudhunagar District.

4.The Revenue Divisional Officer,  
Aurppukkottai,  
Virudhunagar District.

5.The Tahsildar,  
Virudhunagar Taluk,  
Virudhunagar District.

6.The President  
Chathira Reddiyaipatti  
Virudhunagar Taluk,  
Virudhunagar District.

7.T.Marudhuraraj

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 to 6 to lay a Thar Road along the existing public cart track running in between the Survey Nos.441 and 442 on the West and Survey No.443/1, 443/2B and 443/3 on the East situated at Chathira, Reddiyaipatti Village, Virudhunagar Taluk, Virudhunagar



District and to consequently direct the Respondents 1 to 5 to take appropriate action including recovery of the public funds misused, etc., against the 6<sup>th</sup> and 7<sup>th</sup> Respondents for laying a road with public funds through private lands in Survey No.441 and public ooranis in Survey No.442.

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For Petitioner : Mr.M.Kannan  
For Respondents : Mr.P.Tilakkumar,  
(R1 to R5) Government Advocate

**O R D E R**

The Writ Petition has been filed as Public Interest Litigation. The allegation is that the respondents 1 to 6 lay a Thar Road in the 6<sup>th</sup> respondent Village Panchayat, as if in a private property to his advantage of the Village President instead of laying a road in the already existing public pathway. Hence, he made a representation before the authority, but no action has been taken. Hence, the present writ petition has been filed.

2. From the Perusal of the records it could be seen that the District Collector, Virudhunagar District, forwarded the petitioner's complaint to the 4<sup>th</sup> respondent, now the enquiry is pending with the 4<sup>th</sup> respondent.

3. Considering the above circumstances, the 4<sup>th</sup> respondent is directed to consider the petitioner's representation and pass suitable orders, after hearing the petitioner as well as the 6<sup>th</sup> respondent, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MPK

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,  
Virudhunagar District,  
Virudhunagar.

2.The Assistant Director of Rural Development, (Panchayat),  
Virudhunagar,  
Virudhunagar District.

3.The Block Development Officer,  
Virudhunagar,  
Virudhunagar District.

4.The Revenue Divisional Officer,  
Aurppukkottai,  
Virudhunagar District.

5.The Tahsildar,  
Virudhunagar Taluk,  
Virudhunagar District.

+1 CC to M/s.M.KANNAN, Advocate ( SR-28409[F] dated 07/09/2021 )

+1 CC to M/s.SPL GP ( SR-28502[F] dated 08/09/2021 )

W.P (MD) No.15808 of 2021  
06.09.2021

SRK(CO)  
KB(22.09.2021) 3P 8C