



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2021

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P. (MD)No.16314 of 2020**

Gandhi

... Petitioner

-Vs-

- 1.The District Collector,  
Pudukottai District.
- 2.The Thasildhar,  
Thirumayam Taluk,  
Pudukottai District.
- 3.The Block Development Officer,  
(Village Panchayat),  
Tiruvarangam Panchayat Union,  
Alangudi Taluk,  
Pudukottai District.
- 4.The President,  
Kothamangalam Village Panchayat,  
Kothamangalam.
- 5.Kalimuthu
- 6.Chelliah
- 7.Nalliah

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 3<sup>rd</sup> respondent to lay the paver block (cement road) in the lane in S.No.339/16A, 339/11A and 339/9G, in Kothamangalam North, with a time to be fixed by this Court.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.G.Arjunan,

Government Advocate for R1 & R2.

Mr.K.Mu.Muthu,

Addl. Government Pleader for R3 & R4.

Mr.C.Nagamuthu for R5 to R7

**ORDER**

Heard the learned counsel on either side.

2.The writ petitioner is a resident of Kothamangalam village.

According to him, the authorities have already sanctioned the laying

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



of paver block in the petition mentioned lane. The same is not being implemented by the third respondent. He therefore wants this Court to issue directions to the third respondent to implement the project.

3. When the matter was taken up for hearing, the learned Additional Government Pleader appearing for the third respondent submitted that private respondents herein have filed O.S.No.50 of 2020 before the District Munsif Court, Alangudi and that in view of the pendency of the civil proceedings, he could not carry on with the works in question.

4. Though the stand taken by the third respondent appears to be reasonable on the face of it, I must make it clear that he cannot indefinitely postpone the implementation of the works by citing the pendency of the civil suit. The third respondent is therefore directed to wait for 30 more days from the date of receipt of a copy of this order. If in the meanwhile, the private respondents herein obtain any interim order before the jurisdictional Court, then the works will not go on. If no interim order could be obtained in the meanwhile, the third respondent shall implement the mentioned works without any delay.

5. With these directions to the third respondent, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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**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,  
Pudukottai District.

2. The Thasildhar,  
Thirumayam Taluk,  
Pudukottai District.



3.The Block Development Officer,  
(Village Panchayat),  
Tiruvarangam Panchayat Union,  
Alangudi Taluk,  
Pudukottai District.

4.The President,  
Kothamangalam Village Panchayat,  
Kothamangalam.

+1 CC to M/s.GP ( SR-971[F] dated 18/01/2021 )

**W.P. (MD) No.16314 of 2020**  
**08.01.2021**

KG (CO)  
KK (04.02.2021) 3P 6C