



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Twelfth day of November Two Thousand and Twenty One

PRESENT

**The Hon`ble Mrs.Justice PUSHPA SATHYANARAYANA
and
The Hon`ble Mr.Justice P.VELMURUGAN**

**CMP (MD) No.9314 of 2021
IN
WA (MD) SR.No.55117 of 2021**

P.MURUGESAN ... APPELLANT/RESPONDENT

Vs

1 N.MURUGESAN ... 1st RESPONDENT/WRIT PETITIONER

2 THE DISTRICT COLLECTOR,
TRICHY DISTRICT.

3 THE SUPERINTENDENT OF POLICE,
TRICHY DISTRICT.

4 THE TAHSILDAR,
THOTTIYAM TALUK, TRICHY DISTRICT.

5 THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION, TRICHY DISTRICT.

6 THE BLOCK DEVELOPMENT OFFICER,
VILLAGE PANCHAYAT, THOTTIYAM UNION,
TRICHY DISTRICT.

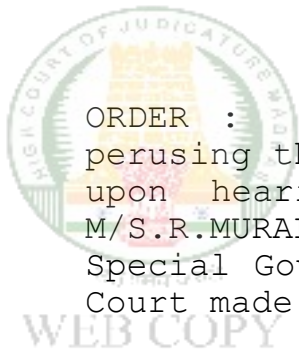
7 THE PRESIDENT,
UNNIYUR VILLAGE PANCHAYAT, THOTTIYAM UNION,
TRICHY DISTRICT. ... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant leave to the Petitioner to file the present Writ Appeal challenging the orders made in W.P. (MD)No. 17633 of 2021 dated 30-09-2021.

PRAYER IN WA (MD) SR.No.55117 of 2021:

Pleased to allow the appeal and set aside the order of this Hon'ble Court made in W.P.No.17633 of 2021 dated 30.09.2021.

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



ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.K.GOVINDARAJAN, Advocate for M/S.R.MURALI, Advocate for the petitioner and of Mr.P.SUBBARAJ, Special Government Pleader on behalf of the Respondents 2 to 6, the Court made the following order:-

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

This petition is filed seeking leave to file appeal against the order passed in W.P(MD)No.17633 of 2021 dated 30.09.2021.

2. The said writ petition was for a Mandamus, which was disposed of, directing the respondents to take necessary action, on the petitioner's request, for laying a Tar road, after carrying out all preparatory activities. It was further directed that an opportunity may be provided to the writ petitioner or any other person, who would be affected by the issuance of the said Mandamus.

3. Though the order does not specifically state which respondent to consider, the grievance of the petitioner now is that, the Tar road cannot be laid, as it is an agricultural land.

4. Whatever may be the reason, it is open to the petitioner herein, to go and make his objections before the 5th respondent/Block Development Officer, Thottiyam Union, Trichy District. Pursuant to the earlier direction given in the writ petition, the 5th respondent/Block Development Officer, is directed to enquire into the issue, after affording an opportunity of personal hearing to the writ petitioner as well as the petitioner herein, and any other person, who has got any objections and then take a final decision.

5. With the above direction, this petition is disposed of.

sd/-

12/11/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE DISTRICT COLLECTOR,
TRICHY DISTRICT.

2 THE SUPERINTENDENT OF POLICE,
TRICHY DISTRICT.

3 THE TAHSILDAR,
THOTTIYAM UNION, TRICHY DISTRICT.

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



4 THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION, TRICHY DISTRICT.

5 THE BLOCK DEVELOPMENT OFFICER,
VILLAGE PANCHAYAT, THOTTIYAM UNION,
TRICHY DISTRICT.

ORDER
IN
CMP (MD) No.9314 of 2021
IN
WA (MD) SR.No.55117 of 2021
Date :12/11/2021

SS/CN/SAR-III/18.11.2021 : 3P/6C