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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.2741 OF 2022

Ravi

... Petitioner

.Vs.

1. The Collector,
Cuddalore District,
Cuddalore.
2. The District Revenue Officer,
Cuddalore.
3. The Revenue Divisional Officer,
Cuddalore.
4. The Tahsildar,
Cuddalore Taluk,
Cuddalore District.
5. The Village Administrative Officer,
Vellakarai,
Cuddalore Taluk,
Cuddalore District.
6. The President,
Kodukkanpalayam Panchayat,
Keerapalayam Village,
Cuddalore Taluk,
Cuddalore District.
7. KSP Sarangapani
8. Krishnamurthy

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing respondents 1 to 6 from in any manner interfering with the property of the



petitioner bearing New S.No.1/1 Hec1.45.0 in Malayadikuppam Village (Vellakarai), Cuddalore Taluk, Cuddalore District by laying road and otherwise, except by following due process of law.

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For Petitioner : Mr.D.Baskar

For Respondents : Mr.T.Chezhiyan
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to forbear respondents 1 to 6 from in any manner interfering with the property of the petitioner bearing New S.No.1/1 Hec1.45.0 in Malayadikuppam Village (Vellakarai), Cuddalore Taluk, Cuddalore District by laying road and otherwise, except by following due process of law.

2. The learned Additional Government Pleader takes notice for the respondent. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since, no adverse order is being passed against the 7th and 8th respondents, notice to the 7th and 8th respondents is dispensed with.

4. The case of the petitioner is that the petitioner is the owner of the property in new Survey No.1/1 in Malayadikuppam Village (Vellakarai), Cuddalore Taluk, Cuddalore District. However, the respondents tried to lay a road in the property owned by the petitioner, without due process of law for which, the petitioner made representation dated 20.12.2021. Till date no orders have been passed. Hence, this Writ Petition is filed with above said prayer.

5. The learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents 1 to 6 to forbear in any manner interfering with the property of the petitioner, by laying a road or otherwise, except by following due process of law and pass appropriate orders.



6. The learned Additional Government Pleader appearing on behalf of the respondents submits that the petitioner's representation dated 20.12.2021 will be considered by the respondents within a particular time frame that may be fixed by this Court.

7. Considering the facts and circumstances, the respondents are directed to consider the petitioner's representation and pass orders on merits and in accordance with law, after providing opportunity to the private respondents within a period of twelve weeks from the date of receipt of a copy of this order after providing opportunity to the private respondents.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The Collector,
Cuddalore District,
Cuddalore.
2. The District Revenue Officer,
Cuddalore.
3. The Revenue Divisional Officer,
Cuddalore.
4. The Tahsildar,
Cuddalore Taluk,
Cuddalore District.
5. The Village Administrative Officer,
Vellakarai,
Cuddalore Taluk,
Cuddalore District.



6. The President,
Kodukkanpalayam Panchayat,
Keerapalayam Village,
Cuddalore Taluk,
Cuddalore District.

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+1cc to the Government Pleader, S.R.No.10760

W.P.NO.2741 OF 2022

SSV(CO)
PBS/10/03/2022