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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition No.5673 of 2022

J.Nalini

.. Petitioner

Vs.

1.The District Collector
Chengalpattu District
Chengalpattu.

2.The Revenue Divisional Officer
Madhurandhakam
Chengalpattu District.

3.The Tahsildar
Madhurandhakam
Chengalpattu District.

4.The Block Development Officer
Achirupakkam
Chengalpattu District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents 1 and 4 to rebuilt the road in Pappanallur village Survey No.157/2G2, based on the petitioner's representation dated 01.02.2022 within the time framed by this Court.

For Petitioner : Mr.R.Jayaprathap

For R1 to R3 : Mr.S.Ravikumar
Special Government Pleader

For R4 : Mr.P.Gurunathan
Additional Government Pleader



O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus directing the respondents 1 and 4 to rebuilt the road in Pappanallur village Survey No.157/2G2, based on the petitioner's representation dated 01.02.2022 within the time framed by this Court.

2.By consent of both the learned counsel appearing for the petitioner as well as Mr.S.Ravikumar, the learned Special Government Pleader, who takes notice for the respondents 1 to 3 and Mr.P.Gurunathan, the learned Additional Government Pleader, who takes notice for the 4th respondent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, she purchased farm house at Pappanallur village, Madhurandhakam Taluk, Chengalpattu District, from one Manokaran, who purchased the said property from one Vargeese Feribaadan. The said Vargeese Feribaadan formed a lay out and sold the plots to various third parties. He laid a road from the main road of Pappanallur village to Orchard Village and gifted the same to Achirupakkam Village Panchayat in the name of the then President Mrs.Karpagam. The petitioner and other land owners are using the said road. While so, during the second week of January 2022, the husband of the present Panchayat President and his friends dug the road in the name of rebuilt and damaged the road by using JCP machine. When the petitioner and others requested the President to relay the road, they demanded a sum of Rs.5,00,000/- for relaying the road. Hence, the petitioner has given representation dated 01.02.2022 to all the respondents for relaying the road in regard to Survey No.157/2G2. On receiving the said representation, the 2nd respondent sent a memo to the 3rd respondent to enquire and send a report. Subsequently, no action was taken on the said representation. Hence, the petitioner has come out with the present Writ Petition.

4.Mr.P.Gurunathan, the learned Additional Government Pleader appearing for the 4th respondent submitted that the 4th respondent will direct the President of Achirupakkam Panchayat and rebuild the road by considering the representation of the petitioner, within the time fixed by this Court.

5.Considering the above materials, nature of relief sought for by the petitioner and submissions of the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the 4th respondent, without deciding the issue on merits, the respondents 1 and 4 are directed to consider the representation of the petitioner dated 01.02.2022 and pass orders on merits and in accordance with law,



within a period of four weeks from the date of receipt of a copy of this order, in the light of the submissions made by the learned Additional Government Pleader appearing for the 4th respondent.

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6. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

//True copy//

Sub Assistant Registrar

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To

1. The District Collector
Chengalpattu District
Chengalpattu.

2. The Revenue Divisional Officer
Madhurandhakam
Chengalpattu District.

3. The Tahsildar
Madhurandhakam
Chengalpattu District.

4. The Block Development Officer
Achirupakkam
Chengalpattu District.

+1cc to Mr. G. Babu Ganesh, Advocate SR.No.16447

+1cc to Government Pleader SR.No.17033

W.P.No.5673 of 2022

MT (CO)
GMY (30/03/2022)