



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2022

CORAM:

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.NO.6815 OF 2022

R.Arunachalam

.. Petitioner

Vs.

1. The District Collector,
Tiruppur District,
Collectorate,
Tiruppur-641 604.
2. The Block Development Officer,
Avinashi,
Tiruppur District.
3. The Sub-Collector,
Tiruppur District.
4. The Tahsildar,
Avinashi,
Tiruppur District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent herein to consider the claim of the petitioner for construction of a Floor Level concrete Road Bridge in S.No.185 in Periyandhapalayam in Sembianallur Village and pass orders thereon within a time frame by considering the representation of the petitioner, dated 28.10.2021.

For petitioner : Mr.Balan Haridoss
for M/s.J.Muthukumaran

For respondents : Mr.P.Muthukumar,
State Govt. Pleader



ORDER

(The Order of the Court was made by
The Honourable Chief Justice)

WEB COPY

The Writ Petition (Public Interest Litigation) has been filed to seek a direction to the first respondent to construct a floor level concrete road bridge in S.No.185 in Periyandhapalayam in Sembianallur Village, as the villagers are willing to provide money for its construction, so that the villagers may approach the burial ground easily.

2. The learned State Government Pleader appearing for the respondents submitted that the land in S.No.185 is classified as "vari poramboke" and the aforesaid cannot be used for construction of the road and hence, the prayer made by the petitioner may not be accepted.

3. Considering the rival submissions, we find that as per the report dated 05.10.2018 submitted by the Village Administrative Officer and Registrar of Births and Deaths, Sembianallur Village, Avinashi Taluk, on the representation made by the petitioner, forming part of the document filed along with the writ petition, it is clear that S.No.185 part 0.11.0 hectares is classified as 'Vari poramboke' and therefore, the direction for construction of the floor level concrete road bridge on the land in question, cannot be accepted.

4. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

CS

To

1. The District Collector,
Tiruppur District,
Collectorate,
Tiruppur-641 604.
2. The Block Development Officer,
Avinashi,
Tiruppur District.



3. The Sub-Collector,
Tiruppur District.

4. The Tahsildar,
Avinashi, Tiruppur District.

+1cc to M/s.J.Muthukumaran, Advocate, S.R.No.20274

+1cc to the Government Pleader, S.R.No.19873

W.P.No.6815 of 2022

MG(CO)
RLP(31/03/2022)