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W.P.No.4048 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.4048 of 2014

S.R.Ramanujam

.. Petitioner

Vs.

1.The District Collector,
Villupuram District,
Villupuram.

2.The Block Development Officer,
Mugaiyur Panchayat Union,
Thirukoilur Taluk,
Villupuram District.

3.The Tahsildar,
Thirukoilur Taluk,
Villupuram District.

4.The Works Supervisor,
Mugaiyur Panchayat Union,
Thirukoilur Taluk,
Villupuram District.

.. Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying of issuance of Writ of Mandamus directing the respondents to remove the road laid in the petitioners land in survey No. 144/4 bearing patta No. 2067, Paranur Village, Thirukoilur Taluk, Villupuram District.



W.P.No.4048 of 2014

WEB COPY

For Petitioner : Ms.Abinu Monisha for Mr.A.V.Arun

For RR1 to 4 : Mr.U.Baranidharan
Additional Government Pleader

ORDER

The petitioner has filed this petition for issuance of writ of Mandamus directing the respondents to remove the road laid in the petitioners land.

2. The case of the petitioner is that the petitioner is the owner of the land in S.F.No.144/4, Paranur Village, Thirukoilur Taluk, by way of a Sale Deed dated 31.10.2007 and he is in possession of the property. While so, the 2nd respondent on a false pretext that it is a public property has laid a road on the petitioner's patta land. Immediately the petitioner has started making representations to the respondents to remove the same and thereby the 3rd respondent has surveyed the land with the assistance of the surveyor and found that the road is laid on the petitioner's patta lands and thereafter, the 3rd respondent sent a report dated 26.06.2013 to the 2nd respondent informing that the road is encroaching a portion of S.F.No.144/4 and to take



W.P.No.4048 of 2014

appropriate action. However since there was no action on the part of the respondents, the petitioner made another representation to the 2nd respondent seeking removal of the road on the patta land and even then no action has been taken by the respondents. Hence, he is constrained to approach this Court by filing this writ petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to implement the order of the 3rd respondent, which was forwarded to the 2nd respondent, dated 26.06.2013 and pass orders on the same within a specified time fixed by this Court.

4. The learned Additional Government Pleader has no objection for said order being passed and he further submitted that necessary steps will be taken on the report of the 3rd respondent.

M.DHANDAPANI,J.

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W.P.No.4048 of 2014

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 2nd respondent to take action on the report of the 3rd respondent dated 26.06.2013 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

11.11.2022

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To
The Tahsildar,
Aminjikarai Taluk Office,
Gajalakshmi Colony,
1st street, Shenoy Nagar,
Chennai 600 030.

W.P.No.4048 of 2014