



W.P. No. 26262 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 26262 of 2022

and

W.M.P. No. 25347 of 2022

M.Palanisamy

... Petitioner

-VS-

1. The District Collector,
District Collectorate Office,
Salem District,
Salem – 636 001.
2. The Sub Collector,
District Collectorate Office,
Salem District,
Salem – 636 001.
3. The Tahsildar,
Salem District.
4. The Block Development Officer,
Block Development Office,
Thathiyampatti Village,
Kaadayampatti Taluk,
Omalur,
Salem District.
5. The Village Administrative Officer,
Thathiyampatti Village,
Kaadayampatti Taluk,
Omalur,
Salem District.



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6. The Panchayat President,
Thathiyampatti Village,
Kaadayampatti Taluk,
Omalur,
Salem District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider the Petitioner's representation dated 20.09.2022 within a stipulated time fixed and consequently direct the First to Third Respondents to initiate appropriate action as against the Fourth to Sixth Respondents for their illegal acts in respect of changing and converting the land category from pathway to playground of the land comprised in Survey No. 52/1 situated at Thathiyampatti Village, Kaadayampatti Taluk, Omalur, Salem District, by this Court.

For Petitioner : Mr. N.Vijaya Basker

For Respondents : Mr. P.Balathandayutham,
Special Government Pleader
(for R1 to R3)

Mr. G.Velu (for R4 & R5)

ORDER

Heard Mr. N.Vijaya Basker, Learned Counsel for the Petitioner,
Mr. P.Balathandayutham, Learned Special Government Pleader appearing for



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the First to Third Respondents and Mr. G.Velu, Learned Counsel for the Fourth and Fifth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. In view of the order proposed to be passed, which would not cause any prejudice to the Sixth Respondent, notice to him is dispensed with.

3. The Petitioner, who is the owner of the property at S. No. 52/2A1 in Thathiyampatti Village, Omalur Taluk, Salem District, has filed this Writ Petition contending that the adjoining land in S. No. 52/1 in that Village, which has been classified as pathway in the revenue records, has been unauthorizedly converted as playground and no action has been taken on his representation objecting to the same.

4. The Sixth Respondent has filed Counter-Affidavit dated 18.10.2022 stating that it is proposed to create playground only in S. No. 54/4 of that Village and that the land in S. No. 52/1 of that Village will remain to be common pathway for entering the land of the Petitioner at S. No. 52/2A1 of that village and the playground proposed to be created at S. No. 54/4 of that village.

In such circumstances, nothing remains for further consideration in the matter.



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Miscellaneous Petition is closed. No costs.

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vjt

Index: Yes/No

Note: Issue order copy by 04.11.2022.

To

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P.D. AUDIKESAVALU, J.

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