



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3174 of 2022

WEB COPY

G.Selvaraj

... Petitioner

/Vs./

- 1.The Director,
Rural Development & Panchayat Raj,
Chennai.
- 2.The District Collector,
Trichy District, Trichy.
- 3.The Assistant Director,
Rural Development & Panchayat Raj,
Trichy.
- 4.The District Revenue Officer,
Srirangam, Trichy.
- 5.The Thasildar,
Srirangam Taluk, Trichy.
- 6.The Block Development Officer,
Srirangam, Trichy.
- 7.The Commissioner,
Anthanallur Panjayat Union,
Srirangam Taluk, Trichy.
- 8.The Village Administrative Officer,
Kambarasampettai Village,
Srirangam Taluk, Trichy.

9.Ponnanjan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent Nos.1 to 8 herein to lay "thar" road to the petitioner's house plot situated in S.F.No.106/5A at Kambarasampettai Village, Trichy Joint No.3 Sub Register Office, Trichy Town, Trichy District by taking appropriate legal steps on the basis of the representations given by the petitioner dated 11.11.2021 and 22.01.2022.



For Petitioner : Mr.S.Gokulraj
For R1 to R5 &
R7 & R8 : Mr.T.Amjad Khan
Government Advocate
For R6 : Mr.V.Om Prakash
Government Advocate

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ORDER

This writ petition has been filed to direct the respondent Nos.1 to 8 herein to lay "thar" road to the petitioner's house plot situated in S.F.No.106/5A at Kambarasampettai Village, Trichy Joint No.3 Sub Register Office, Trichy Town, Trichy District, by taking appropriate legal steps on the basis of the representations given by the petitioner dated 11.11.2021 and 22.01.2022 and pass final orders within the timeframe to be fixed by this Court.

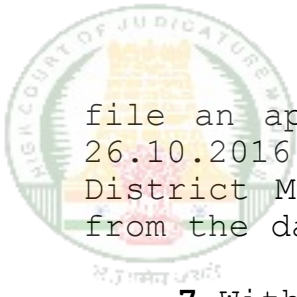
2.It is the case of the petitioner that due to the decree obtained against the official respondents by the ninth respondent on 26.10.2016 in O.S.No.925 of 2015 on the file of the Principal District Munsif Court, Trichy, the official respondents are not laying road in an approved layout, where one of the plots is owned by the petitioner.

3.According to the petitioner, no steps have been taken by the official respondents to set aside the exparte decree dated 26.10.2016 passed in O.S.No.925 of 2015 by the Principal District Munsif, Trichy, under which, the official respondents have been restrained from laying road. According to the petitioner, it affects his interest, as he is owning a plot in the approved layout. Under such circumstances, he has filed this writ petition seeking for consideration of his representations dated 11.11.2021 and 21.01.2022.

4.Heard Mr.S.Gokulraj, learned counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate who accepts notice for the respondents 1 to 5, 7 and 8 and Mr.V.Om Prakash, learned Government Advocate, who accepts notice for the sixth respondent.

5.On instructions, the learned Government Advocate appearing for the respondents 1 to 5, 7 and 8 would submit that if sufficient time is granted, the respondents 1 to 5 will take steps to file an application before the Principal District Munsif, Trichy to set aside the exparte decree, dated 26.10.2016 passed in O.S.No.925 of 2015.

6.This Court is of the considered view that three months time is sufficient for the official respondents to file an application to set aside the exparte decree before the District Munsif Court, Trichy in O.S.No.925 of 2015. Accordingly, this writ petition is disposed of by giving a direction to the official respondents to



file an application seeking to set aside the exparte decree dated 26.10.2016 in O.S.No.925 of 2015 on the file of the Principal District Munsif Court, Trichy, within a period of three (3) months from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

1. The Director,
Rural Development & Panchayat Raj, Chennai.
2. The District Collector,
Trichy District, Trichy.
3. The Assistant Director,
Rural Development & Panchayat Raj, Trichy.
4. The District Revenue Officer,
Srirangam, Trichy.
5. The Thasildar,
Srirangam Taluk, Trichy.
6. The Block Development Officer,
Srirangam, Trichy.
7. The Commissioner,
Anthanalur Panjayat Union,
Srirangam Taluk, Trichy.



8.The Village Administrative Officer,
Kambarasampettai Village,
Srirangam Taluk,
Trichy.

COPY TO:

THE PRINCIPAL DISTRICT MUNSIF, TRICHY.

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-7216[F] dated 18/02/2022)

+1 CC to M/s.SPL GP (SR-7437[F] dated 21/02/2022)

order made in
W.P. [MD]No.3174 of 2022
Dated:
18.02.2022

SB (CO)
GC(02.03.2022) 4P 12C