



W.P.(MD)No.17897 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.17897 of 2022

Thanapathy

: Petitioner

Vs.

1.The Principal Secretary
Rural Development and Panchayatraj department
Secretariat
Chennai.

2.The District Collector
Thanjavur District

3.The Assistant Director (Village Panchayat)
Rural Development and Panchayatraj Department
Thanjavur District

4.The Commissioner,
Panchayat Union, Orathanadu Taluk
Thanjavur District

5.The Tahsildar,
Taluk Office, Orathanadu Taluk
Thanjavur District



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6.The Panchayat Secretary
Poiyundar Kottai Panchayat,
Orathanadu Taluk
Thanjavur District

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 4th respondent to lay proper road on common pathway comprised in Survey No.406/1 AT situated at Patchur North Street, Poiyundar Kottai, Orathanadu Taluk, Thanjavur District based on considering the petitioner's representation dated 14.06.2022.

For Petitioner	: Mr.T.Indrachithu
For Respondents	: Mr.A.K.Manikkam Special Government Pleader

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

This Public Interest Litigation has been filed for a direction to the respondents to lay a proper road on an alleged common pathway comprising Survey No.406/1AT at Patchur North Street, Poiyundar Kottai, Orathanadu Taluk, Thanjavur District.



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2. Today, Mr.T.Prabakaran, Village Administrative Officer, Poiyundarkottai, Orathanadu Taluk, and Mr.S.Rajesh Kannan, Deputy Block Development Officer, Orathanadu Panchayat Union, Thanjavur District are present.

3. On instructions, the learned Special Government Pleader submitted that earlier one Tamilmaran had filed a writ petition in W.P. (MD) No.15518/2021, in which, this Court, by order dated 31.08.2021 had directed the respondents to consider the representation dated 23.07.2018 and 16.06.2021 that was given by the said Tamilmaran and take appropriate action. It is submitted that revenue records show that patta had been issued to 21 persons including one Rengan. Pursuant to the order dated 31.08.2021 in W.P.(MD) No.15518/2021, when the officers went to the said place for inspection, they found that Rengan has built a house based on a patta that is said to have been issued to him. Therefore, it is represented that this innocuous prayer of laying a pathway has an insidious intention behind it, inasmuch as the petitioner is none other than a close relative of Tamilmaran and he has suppressed these facts in the present writ petition.



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4. In such view of the matter, we find no merits in the petition.

Accordingly the writ petition is dismissed. No costs.

[P.N.P., J.] & [R.V., J.]
12.08.2022

Index : Yes/No

Internet : Yes

RR

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R.VIJAYAKUMAR, J

RR

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