



W.P.(MD)No.27384 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.12.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.27384 of 2022

and

W.M.P.(MD)No.21480 of 2022

Chinnadurai

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukottai.

2.The Tahildar,
Karambakudi Taluk,
Pudukottai District.

3.The President,
Kallakottai Village Panchayat,
Pudukottai District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to forbear the respondents from laying road in the petitioner's patta land comprised in Survey No.180/5B situated at Kallakottai Village, Gandharvakottai Taluk, Pudukottai District except due process of law.

For Petitioner	: Mr.T.Lenin Kumar
For R1 & R2	: Mr.A.Kannan Additional Government Pleader
For R3	: Mr.K.S.Selvaganesan Additional Government Pleader



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ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, forbearing the respondents from laying a road in the petitioner's patta land comprised in Survey No.180/5B situated at Kallakottai Village, Gandharvakottai Taluk, Pudukottai District, except due process of law.

2. Heard Mr.T.Lenin Kumar, learned counsel for the petitioner, Mr.A.Kannan, learned Additional Government Pleader, who takes notice for respondents 1 and 2 and Mr.K.S.Selvaganesan, learned Additional Government Pleader, who takes notice for the third respondent. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he is the owner of the petition mentioned property and patta also stands in his name. The third respondent without following any procedure attempted to lay a road in his land. Hence, he has made a representation dated 20.12.2021, before the third respondent. But the same has not been considered. Hence, the present writ petition has been filed with the aforesaid prayer.



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4. The learned counsel appearing for the petitioner would submit that it would suffice to issue direction to the respondents to consider the petitioner's representation, dated 20.12.2021.

5. The learned Additional Government Pleader appearing for the respective respondents have no objection for such an order being passed by this Court.

6. Considering the above said submissions, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the petitioner's representation dated 20.12.2021 and pass appropriate orders, on merits and in accordance with law, after affording reasonable opportunity to the parties concerned, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

02.12.2022

Index : Yes/No

Internet : Yes/No

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To

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Pudukkottai District,
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Karambakudi Taluk,
Pudukkottai District.
- 3.The President,
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V.BHAVANI SUBBAROYAN, J.

akv

Order made in
W.P.(MD) No.27384 of 2022

02.12.2022