



W.P.No.5975 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.5975 of 2023

M.Anbarasu

..

Petitioner

Vs.

1. The Tahsildar
Coimbatore North Taluk Office
Coimbatore 641 018.
2. The Office of Block Development Officer
Block Development Officer
Periyanaickanpalayam
Coimbatore 641 020.
3. The Panchayat President
Pannimadai Village Panchayat
Pannimadai
Coimbatore 641 017.
4. Earnest Peter Lawrence Lasar
5. K.Radhakrishnan
6. K.Amirtham



W.P.No.5975 of 2023

7. M/s. VKV Promoters and Builders
Rep. by its Partner K.Sundarraaj
No.2/115A, Main Road
Somayanur, 22nd Nanjundapuram
Coimbatore 641 108.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 to 3 to remove the illegal and unauthorised construction of compound walls and pillars, on the roads which are gifted to Pannaimadai Panchayat Survey Nos.251/4A, 262/2A, 262/2B1, 80/1B, 801B part, 80/2B and 80/1A2 of Pannimadai Village and demarcated road for public access and link the roads it existing panchayat road.

For the Petitioner : Mr.S.Chetan Prakash

For the Respondents : Mrs.R.Anitha
Special Government Pleader
for Respondents 1 and 2

ORDER

(Made by the Hon'ble Acting Chief Justice)

This public interest litigation has been filed seeking a direction to the respondents 1 to 3 to remove the illegal and unauthorised construction of compound walls and pillars in the roads that were gifted to Pannimadai Panchayat in Survey Nos.251/4A, 262/2A,



W.P.No.5975 of 2023

WEB COPY

262/2B1, 80/1B, 801B part, 80/2B and 80/1A2 and demarcate the road for public access and link the same to the existing panchayat road.

2. According to the petitioner, the roads gifted by the real estate Promoters and Builders in Pannimadai Panchayat, while obtaining DTCP approval for the layout, belong to the Panchayat as per the layout conditions and therefore, they have to be connected with the Panchayat roads. But, the respondents 4 to 7 have closed the roads of the layout for the general public by constructing concrete compound wall or thick wired fencing.

3. On 02.10.2021, the Pannimadai Grama Sabha meeting was held and a resolution was passed and approved to remove the encroachment made in Panchayat roads in DTCP approved layouts and to allow them for general public access. Hence, he made a representation on 22.07.2022 to the third respondent, marking a copy to the respondents 1 and 2. As no action was taken by the respondents 1 to 3, the petitioner has come up with this writ petition.



W.P.No.5975 of 2023

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W.P.No.5975 of 2023

T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

(kpl)

W.P.No.5975 of 2023

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