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W.P.No.5871 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2023

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THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

W.P.No.5871 of 2023

Pushparani

... Petitioner

Versus

1. The District Collector,
Dharmapuri District.

2. The Block Development Officer,
Palacode Taluk,
Dharmapuri District.

3. The Executive Engineer,
Tamil Nadu Housing Board,
Hosur House Board Section,
Bagalur Road, Hosur,
Krishnagiri District.

4. The Panchayat President,
Karakathahalli Panchayat,
Palacode Taluk,
Dharmapuri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 10.12.2022 and 12.01.2023 and thereby direct the respondents to remove the fencing along with the road portion and also to take necessary action to connect the 30 feet road with the petitioner's



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layout situated in S.No.606/2, Karakathahalli Village, Palacode Taluk, Dharmapuri District.

For Petitioner : Mr.B.Sundarapandian
For Respondent : Mrs.R.Anitha, SGP R1
Mr.A.M.Ravindranath Jayapaul R3
Mr.M.S.Premkumar RR2 and 4

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the petitioner's representations dated 10.12.2022 and 12.01.2023 and thereby direct the respondents to remove the fencing along with the road portion and also to take necessary action to connect the 30 feet road with the petitioner's layout situated in S.No.606/2, Karakathahalli Village, Palacode Taluk, Dharmapuri District.

2. The case of the petitioner is that he purchased a property in S.No.606/2 Karakathahalli Village, Palacode Taluk, Dharmapuri District measuring an extent of 1 Acre from his vendor vide sale deed dated 23.05.2022. From the date of purchase of the property, the petitioner is in possession and enjoyment of the same. The petitioner has made an application before the Urban Development Department, Dharmapuri for getting planning permission for the lay out of residential plots and the same is pending. The petitioner's layout is lying



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adjacent to Tamil Nadu Housing Board residential building. There is a 30 feet road is situated in Tamil Nadu Housing Board residence and the said road is ending with the petitioner's property. But the Tamil Nadu Housing Board put up fencing around the above said residence place. The said 30 feet road is the main source to reach the main road. Without having no other option, the petitioner has filed the present writ petition before this Court.

3. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondents to consider the petitioners' representations and direct them to remove the fencing along the road portion.

4. Heard the learned counsel on either side and perused the materials available on record.

5. Considering the facts and circumstances of the case and in view of the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the third respondent to consider the petitioner's representation and pass appropriate orders on the petitioner's representation within a period of one week from the date of receipt of a copy of this order on



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merits and in accordance with law.

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6. With the above directions, the writ petition is disposed of. No costs.

28.02.2023

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To

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Hosur House Board Section,
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N.SATHISH KUMAR, J.

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