



W.P.No.11990 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.11990 of 2023
and
W.M.P.No.11843 of 2023**

A.A.Raji

... Petitioner

Vs.

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2. The District Forest Officer,
Thiruvannamalai South Division,
No.122, Chinna Kadai Street,
Thiruvannamalai - 606 601.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the official of the second respondent from using the Highways Road for access to the petitioner's Petrol Bunk situated in Survey Nos.428/2 and 423/6, situated at Echchoor Village, Cheyyar Taluk, Thiruvannamalai District.



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For Petitioner : Mr.S.Udhayakumar
For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader

ORDER

This Writ Petition has been filed forbearing the officials of the second respondent from using the Highways Road for access to the petitioner's Petrol Bunk situated in Survey Nos.428/2 and 423/6, situated at Echchoor Village, Cheyyar Taluk, Thiruvannamalai District.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the lands situated in Survey Nos.428/2 and 423/6, situated at Echchoor Village, Cheyyar Taluk, Thiruvannamalai District. The petitioner after getting necessary approvals and NOC, has installed Petrol Bunk in his lands. The officials of the second respondent are creating problems by falsely alleging that the strip of land having width of 10.5 mtrs from the highways to the petitioner's land belongs to the Forest Department. Therefore, the petitioner has made a representation to the first



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respondent on 13.03.2023. But, till date, the same has not been considered.

Hence, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would further submit that though very many grounds have been raised in the present Writ Petition, it would suffice, if this Court may issues a direction to the first respondent to consider the petitioner's representation dated 13.03.2023 and pass appropriate orders, within a time frame that may be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Heard learned counsel appearing on either side and perused the materials placed before this Court.



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6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation dated 13.03.2023 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order after affording an opportunity of being heard to the petitioner and the second respondent.

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

19.04.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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To

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Thiruvannamalai.
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