



W.P.No.30061 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.01.2023

CORAM

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN
AND
THE HONOURABLE Mr.JUSTICE MOHAMMED SHAFFIQ

W.P.No.30061 of 2016
and W.M.P.No.26050 of 2016

V.Swaminathan

.. Petitioner

Vs.

- 1.State of Tamil Nadu
represented by its Secretary
Revenue Department
Fort St. George Chennai-600 009
- 2.The District Collector
Nagapattinam District, Nagapattinam
- 3.The Tahsildar
Vedaranyam, Nagapattinam District
- 4.The Village Administrative Officer
Vellikidangu North, Vedaranyam Taluk
Nagapattinam District.
- 5.T.Singaravel
S/o.Tharuman, Vellikidangu - North
Vedaranyam Taluk, Nagapattinam District



W.P.No.30061 of 2016

6.S.Valluvan

S/o.Singaravel, Vellikidangu - North
Vedaranyam Taluk, Nagapattinam District

7.S.Annadurai

S/o.Singaravel, Vellikidangu - North
Vedaranyam Taluk, Nagapattinam District

8.K.Karunakaran(a) Kannan

S/o.Kunju, Vellikidangu - North,
Vedaranyam Taluk, Nagapattinam District

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF MANDAMUS directing fourth respondent to order removal of blockades in entirety in the passage leading to the roads lies on the southern side for the peaceful use of the petitioner and his family members and the cattle to reach the road lies on the southern side of the property lies in S.No.177/1 in Vellikidangu Village to open the passage leading to door No.1/81, Vellikidangu - North Village, Vanduvancheri Post, Vedaranyam Taluk, Nagapattinam District, by forbearing the respondents 5 to 8 from blocking the passage in future.

For Petitioner : Mr.S.Balasubramanian
For R1 to R4 : Mr.A.Selvendran, Special
Government Pleader.

For RR 5 and 6 : Mrs.Greetha Senthilkumar



W.P.No.30061 of 2016

WEB COPY

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

The case of the petitioner is that the property in S.No.177 in Vellikidangu North Village, Vanduvancheri Post, Vedaranyam Taluk, measuring an extent of 1.68 cents, along with trees, was purchased by the petitioner's father by a registered sale deed dated 09.01.1963 bearing Doc.No.62 of 1963, on the file of SRO, Thiruthuraipoondi. After purchase, the petitioner's father and his family members are residing in the said property without any disturbance. While so, on 13.11.2014, the respondents 5 to 8 blocked the said property, thereby restraining the ingress and egress of the petitioner's family members. Therefore, the petitioner made a representation dated 05.01.2015 to the Tahsildar of Vedaranyam, requesting him to remove the blockade in entirety, but the same was not considered. Thereafter, he made another representation dated 29.02.2016 to the respondent authorities to remove the entire blockades in the passage leading to the road lies on the southern side of the property in S.No.177/1 in Vellikidangu Village. Finding no response on the same, the petitioner has



W.P.No.30061 of 2016

come up with this writ petition seeking appropriate direction to the respondent authorities in this regard.

2. When the matter was taken up for consideration, the learned counsel for the petitioner submitted that it would suffice, if a direction is given to the respondent authorities to consider the petitioner's representation dated 29.02.2016 and pass orders, on merits, within a time frame to be stipulated by this court, for which, the learned Government Advocate appearing for the respondent authorities has no serious objection.

3. This court has also heard the learned counsel appearing for the respondents 5 and 6.

4. Considering the limited nature of the relief now sought by the learned counsel for the petitioner, which has not been seriously opposed on the side of the respondent authorities, this court, without going into the merits of the case, directs the respondent authorities to consider the petitioner's representation dated 29.02.2016, if not considered earlier, and



W.P.No.30061 of 2016

pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs. Connected W.M.P. is closed.

[R.M.D., J.] [M.S.Q., J.]
23.01.2023

Index: Yes / No
Speaking order / Non-speaking order
Neutral Citation: Yes / No
nsd

- To
1. The Secretary
Revenue Department
Fort St. George Chennai-600 009
 2. The District Collector
Nagapattinam District, Nagapattinam
 3. The Tahsildar
Vedaranyam, Nagapattinam District
 4. The Village Administrative Officer
Vellikidangu North, Vedaranyam Taluk
Nagapattinam District.

5/6



WEB COPY



W.P.No.30061 of 2016

R.MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

nsd

W.P.No.30061 of 2016

23.01.2023