



W.P.No.20788 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.20788 of 2023
and W.M.P.No.20165 of 2023

K.Manickam

...Petitioner

Vs.

1.The District Collector,
Namakkal District.

2.The Tashildar (Revenue),
Kumarapalayam Circle,
T.K.Namakkal District.

3.Block Development Officer,
Pallipalaym Panchayat Union,
Namakkal District.

4.The Village Administrative Officer,
Sowthapuram Village,
Kumarapalayam,
T.K.Nmakkal District.

5.The President,
Sowdhapuram Village Panchayat,
Kumarapalayam Taluk,
Namakkal District.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner representation dated 23.06.2023 within the time stipulated by this Court and to take action against the 5th respondent.

For Petitioner : Mr.P.Paramasiva Doss
for M/s.R.Meenakshi Devi

For Respondents 1 & 2 : Mr.C.Selvaraj
&4 Additional Government Pleader

For Respondents 3& 5 : Mrs.S.Anitha
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the first to fourth respondents to consider his representation dated 23.06.2023 and pass final orders within the time stipulated by this Court.

2. Mr.C.Selvaraj, learned Additional Government Pleader takes notice for the first, second and fourth respondents. Mrs.S.Anitha, learned Special Government Pleader takes notice for the third and fifth respondents.



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3. It is the case of the petitioner that he is having agricultural lands in S.No.72/6, 7, 8, 9 and 11. On the west of the lands, there is a Government Poroampoke land in S.No.72/1A, on further West, there is a public road. The fifth respondent herein making an attempt to fence the Government Poroampoke land situated in S.R.No.72/1A. If the property on the West of petitioner's Agricultural land is fenced, it will completely block the access to the public road situated on further West. Therefore, the petitioner made a representation to the first respondent on 23.06.2023, seeking his intervention to stop the fifth respondent from putting a fence, so as to obstruct the right of access available to the petitioner. The grievance of the petitioner is his representation has not been considered by the first respondent till date.

4. In view of the limited prayer made by the petitioner, without going into the merits of the claim, this Court is inclined to issue a direction to the first respondent to consider the representation of the petitioner dated 23.06.2023 and pass final orders on merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order.



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5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

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- 3.The Block Development Officer,
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- 4.The Village Administrative Officer,
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- 5.The President,
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S.SOUNTHAR, J.
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