



WEB COPY



W.P. No. 23576 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 23576 of 2023

and

W.M.P. No. 23093 of 2023

V.Murugesan

... Petitioner

-VS-

1. The District Collector,
Office of the District Collectorate,
Trichengode Road,
Namakkal.

2. The Commissioner,
Namakkal Municipality,
Trichengode Road,
Namakkal.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the Respondents from laying road with the height of 8 feet instead of 3 feet by preventing the Petitioner's access to his land from the said road comprised in S. No. 142/4B1A1A1A of Periyapatti Village, Namakkal Taluk and District, by considering the Petitioner's representation dated 19.07.2023.

For Petitioner : Mr. S.Senthil

For Respondents : Mr. Alagu Gowtham,
Government Advocate (for R1)

: Mr. M.Rajamathivanan (for 2)



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ORDER

WEB COPY Heard Mr. S.Senthil, Learned Counsel for the Petitioner, Mr. Alagu Gowtham, Learned Government Advocate appearing for the First Respondent and Mr. M.Rajamathivanan, Learned Counsel for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made representation dated 19.07.2023 to the Second Respondent requesting that while laying the road from which he has access to his land comprised in S. No. 142/4B1A1A1A of Periyapatti Village, Namakkal District, its height must not be increased, but as it did not evoke any response, he has filed this Writ Petition.

3. Learned Counsel for the Second Respondent, on instructions, states that the existing height of 5 feet of the mud road would not be increased while laying tar and he has made an endorsement to that effect in the court record. In view of the same, nothing remains for further consideration in the Writ Petition, but it would not preclude the Petitioner, if he still has any other grievance to be redressed, to work out his remedies before the proper forum in the manner recognized by law.



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In the result, the Writ Petition is disposed with the aforesaid clarifications. Consequently, the connected Miscellaneous Petition is closed.

No costs.

21.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 14.02.2024.

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To

1. The District Collector,
Office of the District Collectorate,
Trichengode Road,
Namakkal.
2. The Commissioner,
Namakkal Municipality,
Trichengode Road,
Namakkal.



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P.D. AUDIKESAVALU, J.

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