



WEB COPY



W.P.No.25142 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.25142 of 2023

C.Raja

...Petitioner

Vs.

1.The District Collector
New Collectorate Building
Collectorate, Manjakuppam
Cuddalore 607 001.

2.The Tashildar
Cuddalore Taluk
Cuddalore 607 001.

3.The Project Director
Public Works Department
Cuddalore Block
Cuddalore.

4.The Block Development Officer
Cuddalore Block
Cuddalore.

5.The Village President
Kilinjikuppam Village
Cuddalore Taluk and District.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the unauthorized laid cement road in Re-Survey No.163/1 in the Kilinjikuppam Village, Cuddalore Taluk and District and further direct the first respondent to initiate the appropriate action against the respondents 4 & 5 by considering the petitioner's representation dated 23.01.2023.

For Petitioner : Mr.Balaramesh
for Mr.R.Suryaprakash

For Respondents : Mr.C.Selvaraj for R1 to R3
Additional Government Pleader

Mr.U.Bharanidharan for R4 & R5
Additional Government Pleader

ORDER

This Writ Petition is filed seeking a direction to the respondents to remove the unauthorized cement road laid in S.No.163/1 in the Kilinjikuppam Village, Cuddalore Taluk and District and further direct the first respondent to initiate appropriate action against the respondents 4 & 5 by considering the petitioner's representation dated 23.01.2023.



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2. It is the case of the petitioner that he is a resident of Mariamman Kovil Street, Kilinjikuppam Village, Cuddalore District and 74 cents of land situated in Re-Survey No.163/1B in the said Village belongs to him. The respondents 4 & 5 laid a cement road in the above said land belongs to him without any manner of right. Though the Panchayat resolution was passed for laying a road in some other place, the respondents 4 & 5 laid the road in the private land belongs to the petitioner.

3. In this connection, he submitted a representation on 23.01.2023 to the first respondent requesting him to take action against the respondents 4 & 5. The said representation has not been considered by the first respondent till date.

4. Though the petitioner sought for a direction to the respondents to remove the unauthorized road laid in his property and immediate action based on his representation against the respondents 4 & 5, at that time of arguments the learned counsel for the petitioner confined his arguments and



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submitted that a direction may be issued to the first respondent to consider his representation dated 23.01.2023 in accordance with law.

5. In view of the limited prayer made by the petitioner, this Court is inclined to issue a direction to the first respondent to consider the petitioner's representation dated 23.01.2023 and pass final orders on merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order, after giving opportunity to the petitioner.

6. With the above observation, this Writ Petition is disposed of.

08.09.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation Case : Yes/No
dna



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S.SOUNTHAR, J.
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