



WEB COPY



W.P. No. 28693 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2023

CORAM

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

W.P. No. 28693 of 2023

and

W.M.P. No. 28246 of 2023

Muthusamy

... Petitioner

-VS-

1. The District Collector,
Namakkal.
2. The Project Director,
District Rural Development Agency,
Office of District Collectorate,
Namakkal.
3. The Block Development Officer,
Rasipuram,
Namakkal District.
4. The President,
Moolakadu Panchayat,
Masakkalipatti Post,
Rasipuram Taluk,
Namakkal District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the First to Third Respondents or their men or agents from laying tar road over the unauthorized housing plots which is existing in the Petitioner's patta land comprised in SF.No. 77/5A at Moolakadu Village, Rasipuram District, Namakkal.



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For Petitioner : Mr.R.Nalliyappan
For Respondents : Mr. U.Baranidharan,
Additional Government Pleader (for R1)
Mr.Yogesh Kannadasan (for R2 & R3)

ORDER

Heard Mr.R.Nalliyappan, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader takes notice for the First Respondent and Mr. Yogesh Kannadasan, Learned Counsel takes notice for the Second and Third Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed to restrain the First to Third Respondents or their men or agents from laying tar road over the unauthorized housing plots which is existing in the patta land of the Petitioner comprised in S.F. No. 77/5A at Moolakadu Village, Rasipuram Taluk, Namakkal District.

3. Learned Counsel for the Third Respondent has filed a Memo dated 06.10.2023 stating as follows:-

“ The Third Respondent as per the instructions dated 06.10.2023, stated that Administrative order was obtained for



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laying Concrete Road in Moolakadu Panchayat, Vennandur under the Scheme of Anaithu Grama Anna Marumalarchi Thittam (2023-2024). The steps were taken to lay a road. While so, the Petitioner, viz., Mr.Muthusamy gave a objection Petition to the Third Respondent stated that there is a title dispute going on between the Petitioner and some parties with regard to the ownership of the property in S.F. No. 77/5A at Moolakadu Village, Rasipuram District and also requested the Third Respondent to stop laying of road. As per the objection letter given by the Petitioner, the laying of road in Moolakadu Panchayat, Vennandur is temporarily stopped.”

In view of the same, nothing remains for further consideration in the Writ Petition, but if the Petitioner still has any further grievance, he is not precluded from working out his remedies before the proper forum in the manner recognized by law.



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In fine, the Writ Petition is disposed with the aforesaid observations.

Consequently, the connected Miscellaneous Petition is closed. No costs.

06.10.2023

kv

Index: Yes/No

Note: Issue order copy by 30.10.2023.

To

1. The District Collector,
Namakkal.
2. The Project Director,
District Rural Development Agency,
Office of District Collectorate,
Namakkal.
3. The Block Development Officer,
Rasipuram,
Namakkal District.
4. The President,
Moolakadu Panchayat,
Masakkalipatti Post,
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P.D. AUDIKESAVALU, J.

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