



W.P(MD)No.4371 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4371 of 2022

and

W.M.P.(MD)No.3693 of 2022

U.Saminathan

... Petitioner

Vs.

1.The District Collector,
District Collector's Office,
Thanjavur.

2.The District Revenue Officer,
District Revenue Office,
Thanjavur.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Thanjavur.

4.The Tahsildar,
Tahsildar Office,
Thanjavur.

5.The Panchayat President,
Kollankarai Panchayat,
Naduvur Post,
Thanjavur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 14.02.2022 and consequentially



W.P(MD)No.4371 of 2022

direct the respondents 1 to 3 to direct the respondents 4 and 5 and refrain from entering into the petitioners property situated in survey nos.76A/18, 76A/18C, 76A/9D and 76B/6 Kollankarai Village, Thanjavur Town and District.

For Petitioner : Mrs.L.Juliet Caroline

For Respondent : Mr.K.Balasubramani
Special Government Pleader for R1 to R4

: Mr.M.Prakash
Additional Government Pleader for R5

ORDER

Heard both sides.

2. The petitioner filed O.S.No.292 of 2012 against the local body and obtained an exparte decree on 29.04.2021 before the Additional District Munsif Court, Thanjavur.

3. It is stated by the learned Additional Government Pleader that to set aside the same, I.A.No.430 of 2023 has been filed. So long as the decree in favour of the petitioner is holding the field, it would not be proper on the part of the 5th respondent to lay any road. To satisfy my conscience, I called upon the learned Special Government Pleader to produce the revenue record. It is seen that some of the petition mentioned survey numbers have been described as 'நிலவியல் பாதை'.



W.P(MD)No.4371 of 2022

4. Directing the 5th respondent to abide by the outcome of the set aside petition and restraining the 5th respondent from laying any road till then, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

27.11.2023

Index : Yes / No
Internet : Yes/ No
rmi

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Thanjavur.
- 3.The Revenue Divisional Officer,
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Thanjavur.
- 4.The Tahsildar,
Tahsildar Office,
Thanjavur.
- 5.The Panchayat President,
Kollankarai Panchayat,
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Thanjavur.



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W.P(MD)No.4371 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.4371 of 2022

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