



WEB COPY



W.P.(MD)No.9348 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.9348 of 2021

and

W.M.P.(MD)No.8713 and 7066 of 2021

N.Santhaana Lakshmi

...Petitioner

Vs

- 1.The District Collector,
District Collector Office,
Sivagangai,
Sivagangai District.
- 2.The Project Director,
District Rural Development Department,
Collector Office Campus,
Sivagangai, Sivagangai District.
- 3.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.
- 4.The Block Development Officer,
Sivagangai Taluk,
Sivagangai District.
- 5.The President,
O.Pudur Village Panchayat Office,
Sivagangai Taluk,
Sivagangai District.

6.Kanthappan

...Respondents

[6th Respondent is impleaded vide order dated 17.10.2023]

<https://www.mhc.tn.gov.in/judis>



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the respondents from laying road on the petitioner's land in Old Survey Number No.88/2 and now New Survey No.507/8, O.Pudur Village, Sivagangai Taluk Sivagangai District.

For Petitioner : Mr.R.Karunanidhi
For R1 to R4 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R5 : Mr.Robert Chandrakumar
For R6 : Mr.G.Prabhu Rajadurai

ORDER

This Writ Petition has been filed for the issue of writ of mandamus forbearing the respondents from laying the road in the land belonging to the petitioner in Survey No.507/8, at O.Pudur Village, Sivagangai Taluk, Sivagangai District.

2.When the writ petition came up for hearing on 05.05.2021, this Court passed the following order:

“The patta produced by the petitioner reveals that S.No 507/8 in O Pudur Village, Sivagangai Taluk, Sivagangai District stands in the name of M.Natchiyappan, who is the husband of the petitioner.

2.The petitioner submits that the respondents are trying to lay a road in her patta land. Such proposal may not be legally permissible.

3.In view of the same, there shall be an order of interim direction to the respondents not to lay a road on the petitioner's



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patta land in Old.S.No.88/2, New S.No.507/8, situated at O.Pudur Village, Sivagangai Taluk, Sivagangai District.

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4.Mr.K.P.Narayanakumar, learned Additional Government Pleader takes notice for the respondents 1 to 4. Issue notice to the 5th respondent returnable by 01.07.2021. Private notice is also permitted.”

3.When the matter is taken up for hearing today, the learned Additional Government Pleader for the official respondents, based on the written instructions received from the fifth respondent, submitted that no road will be laid at New Survey No.507/8.

4.Recording the above, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

17.10.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
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To

1.The District Collector,
District Collector Office,
Sivagangai, Sivagangai District.

2.The Project Director,
District Rural Development Department,
Collector Office Campus,
Sivagangai, Sivagangai District.

3.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

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4.The Block Development Officer,
Sivagangai Taluk,
Sivagangai District.

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(2/2)