



W.P.(MD).No.15095 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 31.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.15095 of 2020

and

W.M.P.(MD).No.12737 and 15007 of 2020

Irulayee

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 3.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.
- 4.The Block Development Officer,
Thiruvadanai Union,
Ramanathapuram District.
- 5.The Inspector,
Thondi Police Station,
Ramanathapuram District.
- 6.Karuppaiah

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondents to take necessary action against the respondents 4 to 6 and to give necessary life protection to the petitioner by removing the materials placed by the 6th respondent in the petitioner's agricultural land in Survey No. 314/4 situated at Nagarikathan Village, Thiruvadanai Taluk, Ramanathapuram District based on the petitioner's representation dated 29.09.2020.

For Petitioner : Mr.M.Ramu

For R-1, R-3
and R-4 : Mr.A.K.Manikkam,
Special Government Pleader.

For R-2 and R-5 : Mr.K.Sanjai Gandhi,
Government Advocate,
(Criminal Side).

ORDER

This Writ Petition is filed for Mandamus, directing the respondents 1 and 2 to take necessary action against the respondents 4 to 6 and give necessary life protection by removing the materials placed by the 6th respondent in the petitioner's agricultural lands based on the petitioner's representation dated 29.09.2020.



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The contention of the petitioner is that she is the owner of the land in Survey No. 314/4 to an extent of 2 acre 36 cents situated at Nagarikathan Village, Thiruvadanai Taluk, Ramanathapuram District. The 6th respondent being a Ex-President of the said Village has attempted to lay a metal road in the petitioner's patta land. Hence, the petitioner is before this Court.

3. Last occasion, when the matter was heard, the learned counsel appearing for the petitioner as well as official respondents submitted that the 6th respondent was an elected President and now he is not holding the said post. Therefore, the official respondents are directed to submit a present status of the proposal of laying metal road. To this effect, the Block Development Officer has filed an affidavit stating that as per 'A' Register and patta proceedings, the land in Survey No. 314/4 is in the name of the petitioner and it is a private patta land. Therefore, the authorities have dropped the scheme for laying metal road in the aforesaid Survey number and in future also there will not be no proposal to lay metal road in the petitioner patta land. Recording the said submission, the respondents are restrained from laying metal road in future as well.



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4. In view of the above directions, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

31.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 3.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.
- 4.The Block Development Officer,
Thiruvadanai Union,
Ramanathapuram District.
- 5.The Inspector,
Thondi Police Station,
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S.SRIMATHY, J.

Nsr

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