



W.P.(MD)No.16126 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.16126 of 2023

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... Petitioner

versus

1. The District Collector,
Dindigul District,
Dindigul.
2. The District Revenue Officer,
Dindigul District,
Dindigul.
3. The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Dindigul.
4. The Tahsildar,
Taluk Office,
Dindigul West Taluk,
Dindigul District.
5. The Block Development Officer,
(Village Panchayat),
Block Development Office,



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Reddiyar Chathiram Union,
Dindigul District.

... Respondents

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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to forbear the respondents from laying road in S.F.No.115/14B at Old Kannivadi Village, Dindigul West Taluk, Dindigul District, except following due process of law.

For Petitioner : Mr.S.Maruthu Pandian
For R1 to R4 : Mr.M.Sarangan,
Additional Government Pleader
For R5 : Mr.S.Kameswaran,
Government Advocate

ORDER

The petitioner has approached this Court that the 5th respondent is attempting to lay a road in his patta land in Survey No.115/14B situated at Old Kannivadi Village, Dindigul West Taluk, Dindigul District.



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2. The learned Additional Government Pleader, who took notice for the respondents 1 to 4, submits that there is a cart track and the respondents are attempting to lay a road only in the cart track.

3. The learned counsel appearing for the petitioner disputed the same stating that the cart track is in Survey No.115/3 and not in the petitioner's patta land in Survey No.115/14B.

3. The learned Additional Government Pleader also submits that the 5th respondent/the Block Development Officer has paid necessary fee to identify the exact position with the Survey Department. The respondents have also considered the petitioner's objection and taken necessary steps to identify the place by measuring the land with the help of the Survey Department and the survey is likely to be conducted within a period one month.

4. In view of the said submission, this writ petition is disposed of



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with a direction to the respondents to conduct a survey in the presence of the petitioner and proceed with after providing sufficient opportunity to the petitioner. No costs.

05.07.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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(Village Panchayat),
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B.PUGALENDHI, J.

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