



W.P.(MD)No.18305 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.10.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)No.18305 of 2020
and
W.M.P.(MD)No.15288 of 2020

Subbaiah, S/o.Marimuthu

.. Petitioner

Versus

1.The District Collector,
Office of the District Collector,
Pudukottai District.

2.The Block Development Officer,
Avadiyarkovil Block,
Pudukkottai District.

3.The President,
Kunnur Village Panchayat,
Avudayarkoil Taluk,
Pudukkottai District.

.. Respondents

[R3 is *suo motu* impleaded vide order dated 06.10.2023]

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents herein from in any manner laying any road in respect of the property comprised in S.No. 44/1 B 1, situated at Kunnur Village, Kidangivayal Revenue Village, Avadiyarkovil Taluk, Pudukottai District, having Patta No.170, by considering the representation of the petitioner, dated 23.07.2020.



W.P.(MD)No.18305 of 2020

For Petitioner : Mr.S.Sathyachidambaram
For R1 and R2 : Mr.A.K.Manikkam
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, to forbear the respondents herein from laying any road in the Patta land belonging to the petitioner in S.No.44/1 B 1, situated at Kunnoor Village, Kidangivayal Revenue Village, Avadiyarkovil Taluk, Pudukottai District, by considering his representation, dated 23.07.2020.

2. The President, Kunnur Village Panchayat, Avudayarkoil Taluk, Pudukkottai District, is *suo motu* impleaded as third respondent in the Writ Petition.

3. Heard Mr.S.Sathya Chidambaram, learned counsel for the petitioner and Mr.A.K.Manikkam, learned Special Government Pleader for the respondents 1 and 2.

4. The grievance expressed by the petitioner is that an attempt has been made to lay a road on his Patta land and the newly impleaded third respondent is already taking steps in that direction.



W.P.(MD)No.18305 of 2020

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the second respondent to arrange for the survey of the land, if any road is going to be laid. If the property belonging to the petitioner falls within the area, where the road is going to be laid, the same shall be identified and the road shall be laid in the other portion belonging to the Village Panchayat. If the road is proposed to be laid in the Patta land belonging to the petitioner, the same shall be done only after acquiring the land in accordance with law.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
smn2

06.10.2023

To

- 1.The District Collector,
Office of the District Collector,
Pudukottai District.
- 2.The Block Development Officer,
Avadiyarkovil Block,
Pudukkottai District.
- 3.The President,
Kunnur Village Panchayat,
Avudayarkoil Taluk,
Pudukkottai District.



WEB COPY



W.P.(MD)No.18305 of 2020

N.ANAND VENKATESH, J.

smn2

W.P.(MD) No.18305 of 2020
and
W.M.P.(MD)No.15288 of 2020

06.10.2023