



W.P.(MD)No.20669 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.20669 of 2023

M.Kulasekara Perumal

... Petitioner

versus

1. The District Collector,
Tirunelveli District.

2. The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondent Nos. 1 and 2 to consider and dispose of the petitioner's representation dated 10.08.2023 by affording a personal hearing, as expeditiously as possible, within the time stipulation as prescribed by this Court.

For Petitioner : Mr.B.Anand

For Respondents : Ms.D.Farjana Ghoushia,
Special Government Pleader



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ORDER

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This writ petition has been filed for a Mandamus, directing the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 10.08.2023 by affording an opportunity of personal hearing, as expeditiously as possible.

2. The learned counsel appearing for the petitioner submits that the property situated in Survey Nos.1198, 1199 and 1200 to an extent of 165 cents is an ancestral property of the petitioner and now he is in possession and enjoyment of the property. In the said property, the petitioner has put up certain shops at the front portion of the property and in the remaining place, he is doing agricultural work. The said property is located at the northern side of Panagudi Village and it is at the very end of four way lane from Kasi to Kanyakumari. Now, the respondents have proposed to construct a bus stand by obstructing the entrance of the petitioner's property. If it is constructed, his ingress and egress right on the property would be affected. In this regard, the petitioner has submitted a detailed representation to the respondents on 10.08.2023. Since the said representation has not been considered, the present writ petition has been filed.



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3. The respondents have proposed to establish a bus stand for the benefit of the public and the said proposal is not in the property of the petitioner. Therefore, this Court is not inclined to entertain this writ petition, in the absence of any statutory provision. Accordingly, this writ petition is dismissed with a liberty to the petitioner to establish his civil right in the manner known to law. No costs.

24.08.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The District Collector,
Tirunelveli District.

2. The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.



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B.PUGALENDHI, J.

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