



WP(MD)No.21108 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.21108 of 2023
and
WMP(MD)No.17510 of 2023

1.C.Inbavalli

2.N.Tamilarasi

.. Petitioners

v.

1.The District Collector,
O/o.District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Usilampatti Taluk,
Madurai District,
Madurai.

3.The Commissioner,
Usilampatti Municipality,
Madurai District, Madurai.

4.The Tahsildar,
Usilampatti Taluk,
Madurai District.



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5. The Inspector of Police,
Usilampatti Taluk Police Station,
Usilampatti,
Madurai District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus forbearing the fifth respondent from interfering with the laying of road by the third respondent at T.S.No.1 (Old S.No.560/62) Ward No.1, Usilampatti Taluk, Madurai District (Near Police Station).

For Petitioners : Ms.H.Jasima Yasmin
for M/s.Ajmal Associates

For Respondents : Mr.M.Sarangan,
Additional Government Pleader
for R.1, R.2, R.4

Mr.V.Austin
for R.3

Mr.Vaikam Karunanithi,
Government Advocate (Crl. Side)
for R.5

ORDER

The petitioners are residents of Usilampatti. The Municipality is intending to lay a road in T.S.No.1 (Old S.No.560/62). The fifth



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respondent / Inspector of Police has raised certain objections for laying of road stating that the land in T.S.No.1 belongs to the Police Department.

Hence, the petitioners have moved this Court.

2.Since objection is raised from the Police Department, the third respondent has also stopped the work without any progress. The issue was escalated to the Revenue Divisional Officer, who, appears to have directed the Tahsildar to conduct an enquiry and to file a report.

3.When the writ petition is taken up for hearing, learned Additional Government Pleader has produced the report of the Tahsildar, Usilampatti that in the UDR A Register, the land in S.No.155/1b to an extent of 0.19.00 Hectares is classified as Circle Inspector Quarters. The land in T.S.No.1 in Block No.59 to an extent of 0.12.50 Hectares is classified as Others. In the other Register, it is mentioned as Pathway.

4.Considering the nature of issue involved and the fact that the Police Department is raising certain objections with regard to laying of



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road, this Court is inclined to refer the matter to the District Collector. The first respondent / District Collector shall conduct an enquiry, by getting a report from the concerned revenue officials and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order, after providing due opportunity of hearing to the parties concerned, including the petitioners, the Municipality and the fifth respondent.

Accordingly, this writ petition is disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
Internet : Yes
gk

30.08.2023

To

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Madurai District, Madurai.



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3.The Commissioner,
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5.The Inspector of Police,
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B.PUGALENDHI, J.

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