



W.P.No.6706 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.6706 of 2020
and W.M.P.No.7961 of 2020

S.Ranjith Kumar

...Petitioner

-Vs-

1. The Commissioner of
Municipal Administration,
75, Santhome High Road,
Raja Annamalaipuram,
MRC Nagar, Chennai -28.
2. The Joint Commissioner of
Municipal Administration,
75, Santhome High Road,
Raja Annamalaipuram,
MRC Nagar, Chennai -28.
3. The District Collector,
District Collectorate,
Dharmapuri District – 636 705.
4. The District Revenue Officer,
Dharmapuri.
5. The Commissioner,
Dharmapuri Municipality,
Dharmapuri.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to remove the obstructions in T.S.No.115, 116 & 117, Block No.11 and ward No.C, S.No.15A, Vellagoundanpalayam Village, Dharmapuri Taluk, as directed by the third respondent in his proceedings in Na.Ka.1355/2020/Tha3 dated 27.01.2020 in pursuance of the petitioner's representation dated 12.01.2017, 03.03.2017, 12.01.2019, 20.01.2020.

For Petitioner : Mr.N.Loganathan
For Respondents : Dr.T.Seenivasan
Special Government Pleader

ORDER

This writ petition has been filed for direction, directing the respondents to remove the obstructions in T.S.No.115, 116 & 117, Block No.11 and ward No.C, S.No.15A, Vellagoundanpalayam Village, Dharmapuri Taluk, as directed by the third respondent by its communication dated 27.01.2020.

2. The petitioner owned land comprised in Survey Nos.85, 105, 106, 107 & 108 situated at Block No.11, and Ward No.C, S.No.15A, Vellagoundanpalayam Village, Dharmapuri Taluk. The land comprised in Survey No. 117 is a road. It has been used by the petitioner to access his



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land. That apart, 12 feet road is also available in T.S.Nos. 115 & 116.

While being so, the fifth respondent encroached the 12 feet road comprised in T.S.No.115, 116 & 117 and raised building in the said land. Therefore, the petitioner has no access to reach his land. Hence, the petitioner submitted representation and on receipt of the same, the third respondent directed the fifth respondent to submit report in this regard. However, there was no action to remove the obstruction put up by the fifth respondent. Hence, the petitioner filed the present writ petition.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. On perusal of records revealed that earlier the petitioner sought for information under the Right To Information Act and by the reply dated 14.03.2017, the petitioner was served with information that the subject land belongs to the fifth respondent as per the revenue records. Therefore, if at all any dispute with regard to ownership of the subject property in which the fifth respondent put up construction, the petitioner is at liberty to approach the civil Court for appropriate relief.



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5. Accordingly, the Writ Petition stands disposed of.

Consequently, connected miscellaneous petition is closed. There shall be no orders as to costs.

12.09.2024

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

rts



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To
WEB COPY

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G.K.ILANTHIRAIYAN. J.

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