



W.P.No.7803 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7803 of 2024

R.JAYABABU

.. Petitioner

Vs

1. THE DISTRICT COLLECTOR
VELLORE DISTRICT.

2. THE REVENUE DIVISIONAL OFFICER
OFFICE OF REVENUE DIVISION,
GUDIYATHAM TALUK, VELLORE DISTRICT.

3. UMAKANTHAN
PANCHAYAT PRESIDENT,
VEERICHETTIPALLI PANCHAYAT,
GUDIYATHAM TALUK, VELLORE DISTRICT.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 3rd respondent restraining from laying road by encroaching the petitioner's land situated in Survey No.373/1B to the extent of 0.40 Hectare 6.13 Kist situated at Veerichettipalli Village, Gudiyatham Taluk, Vellore District, by considering the petitioner's representation dated 9.3.2024.



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For the Petitioner : Mr.Sudhakaran
for M/s.Karan and Uday

For the Respondents : Mr.P.Harish
Government Advocate
for respondents 1 and 2

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.Sudhakaran, learned counsel for the petitioner; and
Mr.P.Harish, learned Government Advocate for respondents 1 and
2.

2. The petitioner submits that the land in Survey No.373/1B is
a private land owned by the petitioner. No road exists in the said
land. The respondent authorities are trying to lay the road.

3. Learned Government Advocate has placed on record a
status report filed by the second respondent. It is stated that
Survey No.373/1B is a patta land and there is no encroachment. A
new road is proposed to be laid in Survey Nos.373/1A, 373/1C,
372/5A and 372/5C. The said lands are remarked as Nilaviyal



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Pathai in UDR 'A' Register. The work order for laying the road is issued, however, till date road is not laid.

4. As the second respondent states that no road is proposed to be laid in Survey No.373/1B and that the proposal for laying of the new road is in Survey Nos.373/1A, 373/1C, 372/5A and 372/5C, no orders are required to be passed in the writ petition. If there is any dispute with regard to the boundaries and/or the identification of the property, then it is for the parties to take steps before the civil court.

The writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, W.M.P.No.8735 of 2024 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

27.03.2024

Index : Yes/No
Neutral Citation : Yes/No
sasi

To



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WEB COPY

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WEB COPY



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

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