



W.P.No.11385 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11385 of 2020

E.R.S.Vijaya Kumar

.. Petitioner

Vs

1.The Assistant Director of Rural Development,
(Panchayats)
Erode District,
Erode.

2.The District Collector,
Erode District,
Erode.

3.The Block Development Officer,
Anthiyar Taluk,
Erode District.

.. Respondents

Prayer: Petitions filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the third respondent to lay block top road (thar road) in the existing cart track road in Survey No.233, 240, 242, 244, 230, 231, 228, 227 in Anthiyur Village, Erode District.

For the Petitioner

: Mr.P.Muthukumarasamy



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For the Respondents : Mr.K.Karthik Jegannath
Government Advocate
for respondents 1 and 2

: Mr.T.K.Saravanan
Government Advocate
for respondent No.3

ORDER

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

We have heard Mr.P.Muthukumarasamy, learned counsel for the petitioner; Mr.K.Karthik Jegannath, learned Government Advocate for respondents 1 and 2; and, Mr.T.K.Saravanan, learned Government Advocate for the third respondent.

2. Directions are sought to lay block top road in the existing cart track in the survey numbers as detailed in the writ petition.

3. Learned Government Advocate submits that there are encroachers on the said cart track. They have filed a civil suit. The civil suit is dismissed. It is submitted that the process to remove the encroachment would commence within two months from today and would be completed expeditiously. The said statement is recorded.



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4. If encroachment exists, then the same shall be removed in accordance with law.

5. A decision for laying the block top road has to be taken by the authorities, for which a process is involved. The respondent authorities shall examine the necessity of laying the block top road in the said cart track. The same shall be examined, preferably within six weeks. Depending upon the decision taken, the parties may take further steps.

The writ petition is disposed of accordingly. There shall be no order as to costs. In view of the disposal of the writ petition, W.M.P.No.19994 of 2020 filed by the petitioner to implead the proposed respondent is closed.

(S.V.G., CJ.)

(D.B.C., J.)

11.03.2024

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



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To

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

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