



W.P.No.25649 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 03.09.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.25649 of 2024

N.Thirunavukarasu

... Petitioner

VS.

- 1.The District Collector,
Chengalpattu District,
Chengalpattu
- 2.The Assistant District,
District Town and Country Planning,
Chengalpattu District,
No.124, GST Road,
Municipal Shopping complex,
Chengalpattu 603 001.
- 3.The Assistant Director (Panchayat),
Office of Assistant Director,
Chengalpattu Collectorate Campus,
Chengalpattu.
- 4.The Tahsildar,
Office of the Tahsildar (Taluk Office),
Chengalpattu District.
- 5.The Block Development Officer,
Kattankulathur Block Development Office,
Department of Rural Development and Panchayat Raj,
Kattankulathur Panchayat Union,
Chengalpattu District



W.P.No.25649 of 2024

6.M/s. S. K. Padma Promoters
A partnership Firm
Represented by its Partner Kumar K
No.12(1), Murugesanai Street,
Chengalpattu – 603 002.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to consider petitioner representation dated 24.07.2024 and to provide right of way to the property situated at Vembakkam Village, Chengalpattu Taluk, Chengalpattu District comprised in S.No.95/1C to an extent of 16 cents.

For Petitioner : Mr.K.Venkateswaran

For R1 to R5 : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents 1 to 5 to consider his representation dated 24.07.2024 to provide right of way to his property situated in S.No.95/1C in Vembakkam Village, Chengalpattu Taluk and District.

2. According to the petitioner, he has been living in the above mentioned property for the past 15 years. The access to the said property has been denied by the 6th respondent by developing property in S.No.109 in front of property in possession of the petitioner. Therefore, the petitioner



W.P.No.25649 of 2024

submitted a representation on 24.07.2024 to the respondents 1 to 5 requesting them to make necessary provision for providing an access to the petitioner's property. The same has not been considered by the respondents 1 to 5 till date. Therefore, the petitioner is before this Court.

3. If it is the case of the petitioner that ingress and egress of his property is denied by the 6th respondent, it is for the petitioner to workout his remedy by moving the competent Civil Court. The right of way or easementary right etc., cannot be considered by the respondents 1 to 5. Therefore, this Court is not inclined to issue a direction to the respondents 1 to 5 to consider the representation submitted by the petitioner seeking their intervention for providing access to his property.

4. Accordingly, the Writ Petition stands dismissed. However, liberty is granted to the petitioner to workout his remedy before the competent Civil Court. No costs.

03.09.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm

3/5



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S.SOUNTHAR, J.

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