



WEB COPY



W.P.No.25451 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25451 of 2024

S.Abdul Suban Sahib

... Petitioner

Vs.

1.The District Collector
O/o.the District Collector
Kallakurichi.

2.The Tahsildar
O/o.theTahsildar
Sankarapuram Taluk Office,
Sankarapuram,
Kallakurichi.

3.The Assistant Divisional Engineer
Highways Department (Building & Maintenance)
Sankarapuram Taluk,
Kallakurichi District.

4.The Assistant Engineer
Highways Department (Building & Maintenance)
Sankarapuram Taluk,
Kallakurichi District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the respondents to level the road
by filling up mud in the pit in S.No.105/4, Sankarapuram Village,

1/4



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Kallakurichi District or to permit the petitioner and adjacent land owners to carry out the said exercise, considering the petitioner's representation dated 01.07.2024, following by reminder dated 09.08.2024.

For Petitioner : Mr.S.Giritharan
For Respondents : Mr.Yokesh Kannadasan
Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to level the road by filling up mud in the pit in S.No.105/4, Sankarapuram Village, Kallakurichi District or to permit the petitioner and adjacent land owners to carry out the said exercise, considering the petitioner's representation dated 01.07.2024, following by reminder dated 09.08.2024.

2.The case of the petitioner is that the petitioner is the owner of the land in S.No.105/3 and the petitioner and the adjacent land owners use the 15 feet main road lying in the poromboke land in S.No.105/4 to reach their lands. The Government Industrial Training Institute, Sankarapuram attempted to obstruct the passage by putting up a compound wall and the same was thwarted by the villagers. Now



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a pit has been developed up to 5 to 8 feet in the said land making it difficult for the petitioner and the adjacent land owners to reach their lands. Hence the petitioner made representation to the respondents seeking to level the road by filling up mud in the pit in S.No.105/4, Sankarapuram Village, Kallakurichi District or to permit the petitioner and adjacent land owners to carry out the said exercise and since the same has not yet been considered, has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that without going into the merits of the case, this Court may issue direction to the respondent to consider the petitioner's representation dated 01.07.2024 and the reminder dated 09.08.2024 and to pass appropriate orders, within a reasonable time frame.

4.Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 01.07.2024 and the reminder dated 09.08.2024, on merits and in accordance with law and to pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.



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M.DHANDAPANI,J.
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5.This writ petition is accordingly disposed of. No costs.

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

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