



WEB COPY



W.P.No.31229 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM:

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

W.P.No.31229 of 2019

E.Maheswari

... Petitioner

-Vs-

1. The District Collector,
Kancheepuram District.

2. The Tahsildar,
Pallavaram Taluk.

3. The Assistant Director,
Town Panchayat, Kancheepuram District.

4. The Executive Officer,
Town Panchayat,
Kundrathur, Chennai 600 069.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 to pass orders on the representation dated 22.02.2019 seeking removal of thar road in the petitioner patta land on merits and in accordance with Law and within a time to be stipulated by this Hon'ble Court.

For Petitioner	: Mr.R.P.Rajkumar Alagesan
For R1 to R3	: Mr.N.Naveen Kumar Government Advocate
For R4	: Mr.D.Raghu Standing Counsel



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ORDER

This writ petition has been filed for direction directing the respondents 1 to 4 to pass orders on the representation dated 22.02.2019 seeking removal of thar road in the petitioner patta land on merits and in accordance with Law and within a time to be stipulated by this Hon'ble Court.

2. Heard both sides and perused the materials available on record.

3. The petitioner owned property comprised in S.No.21/1-B3 to an extent of 45 cents. While being so, the adjacent land owner formed a layout in Samayapuram Village. However, there is no approach road to the said layout. The fourth respondent connivance with the real estate people and laid thar road in the patta land ad-measuring 2500 sq.ft of the petitioner. Therefore, the petitioner submitted a representation to remove the thar road put up in the patta land.

4. A perusal of the counter and on the submissions made by the learned standing counsel appearing for the fourth respondent revealed that the land ad-measuring 2500 sq.ft comprised in S.No.21/1-B3 is classified as Government Poromboke as per the revenue records. Therefore, the fourth respondent has got



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authority and is empowered to lay a public thar road. Therefore, the consent from the petitioner does not require. That apart, the said road was laid during the year 2014 to 2015. At that time, the petitioner remained silent without asserting her right if any.

5. In view of the above, the representation submitted by the petitioner cannot be considered and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

09.09.2024

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
mn

G.K.ILANTHIRAIYAN. J.

mn



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