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W.P.No.32486 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2024

CORAM:

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

W.P.No.32486 of 2024

K.Dhayalan

... Petitioner

-Vs-

1. The Collector,
Salem District, Salem.

2. The Tahsildar,
Mettur Taluk Office,
Mettur, Salem District.

3. The Block Development Officer,
Kolathur Union Office,
Kolathur, Salem District.

4. The President,
Kaveripuram Village,
Mettur Taluk,
Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to take action on the complaint dated 08.10.2024 given by the petitioner against the third and fourth respondent for illegally laying road on the Patta land to the extent of 80 meter length and 3 meter width



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situated in S.No.297 at Kaveripuram Village, Sathya Nagar, Mettur Taluk, Salem district by misusing public money.

For Petitioner : Mr.Ka.Prabaharan
For R1 and R2 : Mr.S.Jayachandran
Government Advocate
For R3 and R4 : Mr.Vadivelu Deenadayalan
Additional Government Pleader

ORDER

This writ petition has been filed for direction directing the first respondent to take action on the complaint dated 08.10.2024 given by the petitioner against the third and fourth respondent for illegally laying road on the Patta land to the extent of 80 meter length and 3 meter width situated in S.No.297 at Kaveripuram Village, Sathya Nagar, Mettur Taluk, Salem district by misusing public money.

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

3. The petitioner owned land comprised in S.No.297/1C, to an extent of 70 cents situated at Sathyanagar, Kaveripuram Village, Mettur Taluk. Adjacent to his land, there is an agricultural land in the western side and in order to promote the said plots, he insisted the respondents 3



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and 4 to lay the road. While laying the road, the respondents 3 and 4 encroached the petitioner's land to the extent of 80 metre length and 3 metre width. After laying the road, the adjacent owner is claiming ownership of the road. Therefore, the petitioner filed a writ petition before this Court in W.P.No.15437 of 2024. This Court, by an order dated 23.07.2024 directed to survey the land and mark the boundaries. Accordingly, the second respondent surveyed the land and marked the boundaries.

4. In view of the above, the first respondent is directed to issue notice to the petitioner and the respondents 3 and 4 and conduct enquiry and after giving an opportunity of hearing to them, dispose of the complaint, within a period of twelve weeks from the date of receipt of a copy of this order.



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5. With the above directions, this writ petition is disposed of.

There shall be no order as to costs.

30.10.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

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To

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G.K.ILANTHIRAIYAN. J,

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