



W.P.(MD).No.2676 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.2676 of 2024

and

W.M.P.(MD).No.2689 of 2024

V.Ayyar

... Petitioner

vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Usilampatty Taluk,
Madurai District.

3.The Village Administrative Officer,
Thootappanaickanur Village,
Usilampatty Taluk,
Madurai District.

4.B.Balamuruga Maharaja

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondent Nos. 1 to 3 herein to take necessary action to prevent the 4th respondent laying

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of road on land owned by the petitioner in S.F.No.598/1A, 4, 1E1 in patta Nos.2583 and 4406 for conducting Jallikattu without petitioner's permission or consent and also take appropriate action against the 4th respondent for abusing of his official power and laying road illegally considering the petitioner's representation dated 01.02.2024.

For Petitioner : M/s.E.L.Shalini

For R1 to R3 : Mrs.K.Christy Theboral

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the respondent Nos.1 to 3 to take necessary action to prevent the 4th respondent from laying of road on land owned by the petitioner in S.F.No.598/1A, 4, 1E1 in patta Nos.2583 and 4406 for conducting Jallikattu, without petitioner's permission or consent and also take appropriate action against the 4th respondent for abusing of his official power and laying road illegally, considering the petitioner's representation dated 01.02.2024.



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2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he is the owner of the land in S.F.No.598/1A, 4 and 1E1 situated at Thottappanaickanur Village, Usilampatty, Madurai District. The fourth respondent is the elected President of Thottappanaickanur Village Panchayat and also one of the Organizer of Thottappanaickanur Jallikattu Organizing Committee. The fourth respondent has organized Jallikattu in his village on 12.02.2024. Since the main road is to be used for Jallikattu, they required alternative pathway to connect to the Primary Health Centre and emergency vehicles to go. Hence, the fourth respondent has decided to lay alternative road through agricultural land including the land belongs to the petitioner in S.F.No.598 and laid the main road without even getting any consent or permission. Hence, the petitioner has made a representation to the first respondent through registered post and in person to the respondents 2 and 3. But till date no action has been taken. Hence, the present writ petition has been filed.



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4. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that they are trying to perform Jallikattu at Thottappanaickanur Village, Usilampatti Taluk, Madurai District and in Madurai - Theni Road, there is a way available for reaching the said place. Since the main road is the only way, they are trying to form an alternative road for reaching the public health centre. This proposal not yet finalised. In the mean while, the fourth respondent being the President of Thottappanaickanur Village Panchayat and also the Organizer of the Jallikattu trying to lay a road in the petitioner's land and when he objected, alternative land has been found and then they are trying to form a road only in that land and they are not going to disturb the petitioner's land in any manner.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.



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6. The respondents are not having any intention to lay a road in the petitioner's land. Hence, this Writ Petition is disposed of. If the petitioner has any grievance, he can approach the appropriate forum for redressing his grievance. No costs. Consequently, the connected Miscellaneous Petition is closed.

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Index: Yes/No
Internet: Yes/No
NCC: Yes/No

akv

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V.BHAVANI SUBBAROYAN,J.

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