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W.P.(MD)NO.5087 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5087 of 2024

A.Vetrikondan

... Petitioner

Vs.

1. The District Collector,
Thanjavur District,
Thanjavur.

2. The Additional Director of Town Panchayath,
District Collector Office Premises,
Thanjavur District, Thanjavur.

3. The Executive Officer,
Ammapettai Town Panchayath,
Thanjavur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 15.08.2023 and consequently direct the third respondent to remove Paver Block road laid by him on our property in survey No.32/7A situated at Kokkeri Village, 88, Vadapathi Revenue Village, Ammapettai Town Panchayath, Papanasam Taluk, Thanjavur District.

For Petitioner : Mr.S.Venkatesan
For R-1 to R-3 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

* * *



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ORDER

Heard both sides.

2. The petitioner alleges that the third respondent has laid paver block road in survey No.32/7A2. The stand of the respondents is that paver block road has been laid only what has been classified as road. So long as the revenue record mentions survey No.32/7A2 in the name of the petitioner's minor son, the authorities cannot lay any paver block road thereon.

3. I therefore direct the Tahsildar to conduct survey. Notice will be issued to the petitioner. The Tahsildar, Pabanasam will complete the survey exercise within a period of eight weeks from the date of receipt of a copy of this order. Survey shall be conducted after the notice issued to the third respondent as well as the petitioner. If the results of survey indicate that the road has been laid on the petitioner's patta land, then the respondents will have two options open to them; either they should pay appropriate compensation to the petitioner as per law or remove and obliterate the road that has been laid. If the survey indicates



that paver block has not been laid in the aforesaid survey number, the petitioner is not having any case. With the aforesaid observation and direction, this writ petition stands disposed of. No costs.

05.04.2024

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

To:

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Additional Director of Town Panchayath,
District Collector Office Premises,
Thanjavur District, Thanjavur.
3. The Executive Officer,
Ammapettai Town Panchayath,
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G.R.SWAMINATHAN,J.

PMU

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