



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6283 of 2024 AND

W.M.P.(MD)No.5878 of 2024

Mahendran

... Petitioner

Vs.

1. The District Collector,
Pudukottai District,
Pudukottai.
2. The Tahsildar,
Illupur Taluk,
Pudukottai District.
3. The Block Development Officer,
Pathipatti @ Pasipatti,
Lakanapatti Panchayat,
Kunandar Kovil Union,
Pudukottai District.
4. The President,
Lakana Patti Panchayat,
Pathipatti Village,
Illupur Taluk,
Pudukottai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, restraining the respondents from laying road in the petitioner's property in S.Nos.166/1, 166/9, 166/2, 166/20 situated at Pathipatti Village, Illupur Taluk, Vilappatti Post, Pudukkottai District without following due process of law.



For Petitioner : Mr.J.Anandkumar
For R-1 & R-2 : Mr.V.Nirmalkumar,
Government Advocate.
* * *

ORDER

Heard both sides.

2. The petitioner's demand is that through his patta lands, road ought not to be laid. This demand is justified.

3. The learned Government Advocate points out that unless survey is conducted, it will not be known as to whether the road will run through the petitioner's land or through the Government land.

4. The second respondent is therefore permitted to conduct survey. The petitioner shall not obstruct. Based on the results of the survey, the road shall be laid. It is made clear that through the petitioner's patta land, road cannot be laid. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.03.2024

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



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To:

1. The District Collector,
Pudukottai District,
Pudukottai.
2. The Tahsildar,
Illupur Taluk,
Pudukottai District.



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G.R.SWAMINATHAN,J.

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