



W.P.(MD)No.19056 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.19056 of 2024

R.Udaiyammai

... Petitioner

Vs

1. The District Collector,
Sivagangai,
Sivagangai District.

2. The Tahsildar,
Kalaiyarkovil Taluk Office,
Sivagangai District.

3. The Panchayat President,,
Marakathur Panchayat Office,
Marathur Group,
Kalaiyarkovil Taluk,
Sivagangai District.

4. Robinson

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 not to form the road the petitioner patta land in S.No. 82/8 - 1 Acre 10 cents situated at Marathur Village, Marathur Group, Kalaiyarkovil Taluk, Sivagangai



W.P.(MD)No.19056 of 2024

District and to consider the petitioner's representation dated 23.07.2024.

WEB COPY

For Petitioner : Mr. S.Pugalendhi

For Respondents : Mr.D.Sadiq Raja(R1,R2)
Additional Government Pleader

Mr.M.Siddharthan (R3)
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking direction to the 1st respondent to sanction the Personal Accident Insurance claim in GPA Claim No. 111700/48/2023/00072209 A/c.No.20425491713 and apportion between the petitioner and the 3rd and 4th respondents herein equally based on the petitioner's representation, dated 16.07.2024.

2.Heard Mr.S.Pugalendhi, the learned counsel appearing for the petitioner, Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for R1, R2 and Mr.M.Siddharthan, learned Additional Government Pleader for R3 and perused the materials available on record.

3.By consent, this Writ Petition is taken up for final disposal at the stage of admission itself.



W.P.(MD)No.19056 of 2024

WEB COPY

4.The grievance of the petitioner is that she has purchased the property to an extent of 1 Acre 10 cents. The 4th respondent is trying the encroach upon the property in support of other respondents. The 4th respondent has instigated the official respondents to lay road in the said property.

5.On instructions, the learned Additional Government Pleader appearing for the 3rd respondent submitted that so far there is no resolution passed to lay road.

6.Further, the learned Additional Government Pleader appearing for the respondents 1 & 2 submitted that even for development work, the Block Development Officer is the competent person to take action as per law, by following due procedure. However, he has also not made as a party to the proceedings.

7.The very allegation found in the affidavit is only general allegations and he has not even averred that there is an attempt made by the authorities to lay road on the private properties. Therefore, as a matter of right, the writ petition



W.P.(MD)No.19056 of 2024

cannot be ordered. If at all the Authorities wanted to lay road on a private land,
the same will be done by following due process of law.

8.In view of the above observations, this writ petition stands
dismissed. No costs.

07.08.2024

NCC : Yes/No
Index : Yes/No
PNM

To

1. The District Collector,
Sivagangai,
Sivagangai District.

2. The Tahsildar,
Kalaiyarkovil Taluk Office,
Sivagangai District.

3. The Panchayat President,,
Marakathur Panchayat Office,
Marathur Group,
Kalaiyarkovil Taluk,
Sivagangai District.



WEB COPY



W.P.(MD)No.19056 of 2024

N.SATHISH KUMAR, J.

PNM

ORDER IN

W.P.(MD)No.19056 of 2024

07.08.2024