



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

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THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

WP.No.13134 of 2025

1.Maruthamuthu,
S/o.Kandasamy Chettiar,
Chinniyagoundanpalayam,
Sivagiri Post,
Erode District-638 109.

2.Krishnamoorthy,
S/o.Murugesan,
Chinniyagoundanpalayam,
Sivagiri Post,
Erode District-638 109.

3.Sasikumari,
W/o.Krishnamoorthy, Chettiar,
Chinniyagoundanpalayam,
Sivagiri Post,
Erode District-638 109.

4. Mariammal
W/o.Muthaiya,
Chettiar,
Chinniyagoundanpalayam,
Sivagiri Post,
Erode District-638 109.



5.Amutha

W/o.Murugan,

Chettiyar, Chinniyagoundanpalayam,

Sivagiri Post,

Erode District-638 109.

Petitioner(s)

Vs

1.The District Collector,

Erode District, Erode-638011.

2.The Assistant Director (Town Panchayat),

Erode-638 011.

3.The Executive Officer,

Sivagiri Town Panchayat,

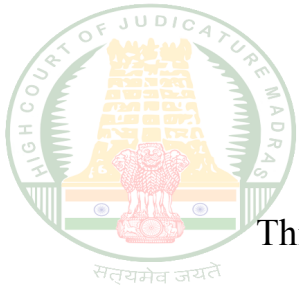
Sivagiri, Erode District-638 109.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the 3rd respondent to accept the gift deed in respect of R.S.No.672/1, 672/1A, 672/1C1A1 in Sivagiri-A village, Erode District to an extent of 1853 square feet by considering the representation of the petitioners dated 07.03.2025 and pass such further orders.

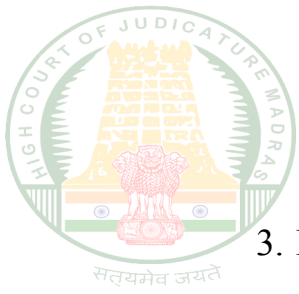
For Petitioner(s): Mr.P.Kannan Kumar

For Respondents: Mr.M.Rajendiran,
Additional Government Pleader

**ORDER**

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 3rd respondent to accept the gift deed in respect of R.S.No.672/1, 672/1A and 672/1C1A1 in Sivagiri-A village, Erode District, to an extent of 1853 square feet by considering the representation of the petitioners dated 07.03.2025.

2. The petitioners are residents of Chinniyagoundanpalayam, within the jurisdiction of the Sivagiri Town Panchayat in Erode District. Each petitioner has purchased house sites of varying extents between 2007 and 2022 and has constructed houses, which are being assessed for property tax by the Panchayat. The access road to their houses measures about 3706 sq. ft., running East to West, and connects to the Main Road. One Mr.S.P.Kathiravel, owner of land opposite to the petitioners, has already gifted half of the said road (1853 sq.ft.) to the Sivagiri Town Panchayat under Document No.909/2024, which was accepted and acted upon. The remaining half portion of the road is in the name of the petitioners.

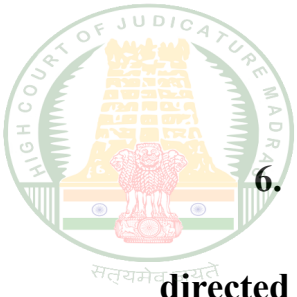


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3. Learned counsel for the petitioners submits that due to non-transfer of their half share of the road to the Panchayat, various civic amenities such as road laying, water connection, and street lighting are being denied to them. Despite expressing their willingness to gift their portion of 1853 sq. ft. of the road to the Panchayat and bear the registration expenses, and sending a representation dated 07.03.2025 to the respondents, no action has been taken to accept the gift or issue the necessary letter to the Sub-Registrar. He submits that the entire stretch of the road needs to be under the Panchayat's control for public benefit and infrastructure development. Hence the writ petition is filed.

4. Learned Additional Government Pleader appearing for the respondents submits that the representation of the petitioners dated 07.03.2025 would be considered on merits, in accordance with law, within a time frame stipulated by this Court.

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



6. Without going into the merits of the case, the 3rd respondent is directed to consider the representation of the petitioners dated 07.03.2025 after conducting a detailed enquiry by giving due notice to the petitioners, affording an opportunity of personal hearing to the petitioners, to take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

15-04-2025

cda

To

1.The District Collector,
Erode District, Erode-638011.

2.The Assistant Director (Town Panchayat),
Erode-638 011.

3.The Executive Officer,
Sivagiri Town Panchayat,
Sivagiri, Erode District-638 109.



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J.SATHYA NARAYANA PRASAD J.

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