



Writ Petition No.31686 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 28.02.2025

CORAM

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.31686 of 2024

1. U.Sivakumar
S/o.Ulaganadhan, No.198, Kamban Nagar,
Poongunam Post, Panruti Taluk, Cuddalore
District.

..Petitioner

VS.

1. The District Collector,
Cuddalore District.

2.The Commissioner
Panchayat Union Council, Poongunam
Panchayat, Panruti Panchayat Union,
Cuddalore District.

3.The Block Development Officer
Block Development Office, Panruti,
Cuddalore District.

4.RAMALINGAM
S/o.Muthaiya Nayinar, Pillaiyar Kovil
Street, Poongunam Post, Panruti Taluk,
Cuddalore District.

5.SELVAMANI
S/o.Marimuthu, Kuyavar Street,
L.N.Puram Post, Panruti Taluk, Cuddalore
District.



WEB COPY



Writ Petition No.31686 of 2024

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 29.12.2023 and thereby direct the respondents 1 to 3 to restore the 30 feet common road of the house site layout as per the gift deed Doc. No.301/1993 dated 18.03.1993 situated at Poongunam Village, Panruti Taluk, Cuddalore District.

For Petitioner(s): B.Sundarapandiyan

For Respondent(s): M/s M.Rajendran AGP For R1 to 3
M/s. P.Rajavel for R5

ORDER

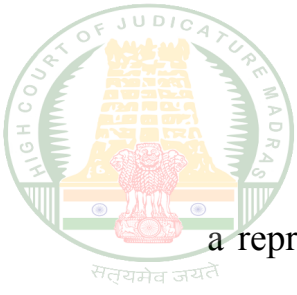
This Writ Petition has been filed, seeking for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 29.12.2023 and thereby to restore the 30 feet common road of the house site layout as per the gift deed Doc. No.301/1993 dated 18.03.1993 situated at Poongunam Village, Panruti Taluk, Cuddalore District.



Writ Petition No.31686 of 2024

WEB COPY 2.The case of the petitioner is that the 4th respondent is a land promoter and he promoted a land in Old Survey No.484, new Survey No.160/2 to an extent of 2.20 acres situated at Poogunam Village, Panruti Taluk, Cuddalore District. He also earmarked a common road (30 feet) in the said layout and executed a Gift Deed, dated 18.03.1993 in favour of the local panchayat, maintained by the 3rd respondent and thereby, it belongs to the Government. However, the 4th and 5th respondents have colluded and grabbed the common road by way of executing forgery documents, which prompted the petitioner herein, who also purchased a house site in the said layout, to approach the respondents 1 to 3 by way of a representation, dated 29.12.2023, seeking to restore the 30 feet common road of the house site layout and the same was acknowledged by the respondents on 02.01.2024. However, as there was no action forthcoming from the respondents 1 to 3, the petitioner was constrained to file the present Writ Petition.

3.The learned counsel for the petitioner has submitted that though the petitioner has brought to the notice of the respondents 1 to 3 regarding the grabbing of the 30 feet common road by the respondents 4 and 5 by making



Writ Petition No.31686 of 2024

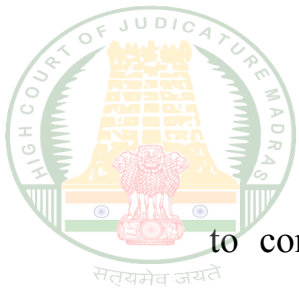
WEB COPY

a representation, dated 29.12.2023 of the house site layout as per the Gift Deed dated 18.03.1993 situated at Poogunam Village, Panruti Taluk, Cuddalore District, the respondents 1 to 3 have not taken any action. He has further submitted that drainage has been struck in the middle of the road and causing stagnation of drainage water. Therefore, he would urge this Court to direct the respondents 1 to 3 to consider the petitioner's representation, dated 29.12.2023 and pass appropriate orders, restoring the 30 feet common road of the house site property.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the above said representation dated 29.12.2023 of the petitioner will be considered on merits and in accordance with law after conducting a detailed enquiry within the time frame to be stipulated by this Court.

5.Heard the learned counsel on either side and perused the entire material available on record.

6. Considering the above submissions, the third respondent is directed



Writ Petition No.31686 of 2024

to consider the representation of the petitioner dated 29.12.2023, after giving due notice to the petitioner as well as the respondents 4 and 5, by providing an opportunity of personal hearing to them and consider the documents filed by both the parties, on merits, in accordance with law, and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of with the above direction. No costs.

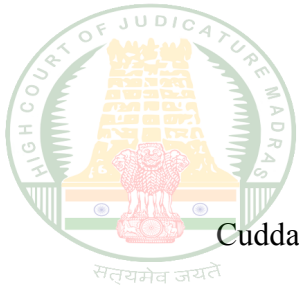
28.02.2025

Index : Yes/No
Speaking order: Yes/No
dn

To

1. The District Collector,
Cuddalore District.
2. The Commissioner
Panchayat Union Council, Poongunam
Panchayat, Panruti Panchayat Union,
Cuddalore District.
3. The Block Development Officer
Block Development Office, Panruti,

5/6



Cuddalore District.

WEB COPY



Writ Petition No.31686 of 2024

J.SATHYA NARAYANA PRASAD, J.

dn

Writ Petition No.31686 of 2024

28.02.2025