



W.P.(MD) No.21907 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)No.21907 of 2025

I.Reginamary

... Petitioner

Vs.

1.The Executive Officer,
Melathirupoonthurthi Town Panchayat,
Thanjavur District.

2.The Thasildar,
Thiruvayaru Taluk Office,
Thanjavur District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice in Na.Ka.No.122/2024/A1 dated 16.07.2025 passed by the Executive Officer, Melathirupoonthurthi Town panchayat, Thanjavur District, 1st respondent herein and quash the same and consequently direct the second respondent to conduct the survey based on the old survey number 435/5.



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For Petitioner : Mr.T.Mahendran
For R1 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R2 : M/s.S.Jeya Priya
Government Advocate

ORDER

The writ petition is filed challenging the impugned communication of the first respondent informing the petitioner about the proposed survey of the road situated in Survey No.751/2.

2. Heard Mr.T.Mahendran, counsel for the petitioner, Mr.K.S.Selvaganesan, learned Additional Government Pleader and M/s.S.Jeya Priya, learned Government Advocate, for the respondents. With the consent of both the counsel, the Writ Petition is taken up for final disposal at the stage of admission.

3.It is seen from the affidavit and perusal of the typed set that earlier, the first respondent initiated coercive action against the petitioner. The said coercive action was challenged by the petitioner in W.P(MD)No.10333 of 2013 and by order dated 24.07.2017, the writ



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petition was allowed on the ground that the petitioner was not issued with any prior notice before initiating coercive steps and the matter was remitted back to the file of the first respondent to take action in accordance with law. Now the first respondent informed the petitioner in the impugned communication about their proposal to survey the road in Survey No.751/2. Aggrieved by the same, the petitioner has come before this Court.

4.Learned counsel for the petitioner would submit that the respondents are attempting to survey the road portion based on the new survey number 751/3. If the survey is not conducted with reference to the old survey No.435/5, his right will be prejudiced.

5.The impugned communication only informs the petitioner about the proposal to conduct the survey. The petitioner cannot get aggrieved by mere survey of the road portion. Therefore, the petitioner is directed to submit his objection, if any, before the first respondent within a period of two weeks from the date of receipt of a copy of this order. The objections submitted by the petitioner shall be considered by the first



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respondent in accordance with law and final orders shall be passed within a further period of six weeks after affording reasonable opportunity to the petitioner.

6. With this clarification, this Writ Petition is disposed of. No costs.

11.08.2025

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

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To

1.The Executive Officer,
Melathirupoonthurthi Town Panchayat,
Thanjavur District.

2.The Thasildar,
Thiruvayaru Taluk Office,
Thanjavur District.



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S. SOUNTHAR, J.

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