



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2015

C O R A M

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD) No.17022 of 2013
and
M.P(MD)No.1 of 2013

Rajaram ... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Block Development Officer,
Tirumangalam Panchayat Union,
Tirumangalam, Madurai District.

3.The President,
Thirali Village Panchayat,
Tirumangalam Taluk,
Madurai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the Respondents from laying road across the petitioner's agricultural land in S.F.No.211/2A1 of Thirali Village without following any due process of law.

For petitioner ...Mr.T.Vadivelan

For R1 & R2 ...Mr.M.Murugan
Govt. Advocate

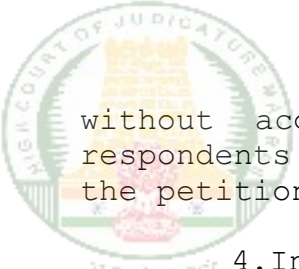
For R3 ...Mr.R.Anandharaj

O R D E R

The petitioner has filed this writ petition for a writ of mandamus, forbearing the Respondents from laying road across the petitioner's agricultural land in S.F.No.211/2A1 of Thirali Village.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. According to the petitioner, the scheme for the said road has been made without considering the interest of agriculturists and approval has been given mechanically without issuing notice to the petitioner and the respondents are laying the road. The petitioner has given a representation to the respondents on 07.10.2013, not to form a road



without acquiring the land by following due process of law. The respondents did not consider the petitioner's representation and hence, the petitioner has filed the present writ petition.

4. In view of the averments made by the petitioner and the representation given by him to the respondents, the respondents are directed to follow the procedure, by acquiring the petitioner's land before laying the road.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District, Madurai.

2. The Block Development Officer,
Tirumangalam Panchayat Union,
Tirumangalam, Madurai District.

3. The President,
Thirali Village Panchayat,
Tirumangalam Taluk,
Madurai District.

+1cc to Mr. T. Vadivelan, Advocate SR.No.49564

W.P (MD) No.17022 of 2013
25.08.2015

am

NS/JGB-DP/SAR II/23.09.2015 : 2P/5C