

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.06.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.29350 of 2013

&

MP No.1 of 2013

R.Rajagopal

... Petitioner

Versus

1.The State of Tamilnadu
rep. by its Principal Secretary,
Revenue Department,
Fort St.George, Chennai 9.

2.The Additional Secretary-cum-
Commissioner for Revenue Administration
Ezhilagam, Chepauk, Chennai 5.

3.The District Collector
Salem District.

4.The Tahsildar,
Vazhapadi, Salem District. ... Respondents

Petitions filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondents to forthwith commence construction of Taluk Office at Vazhapadi village and Taluk in S.No.97/3B on the basis of sanction and approval, by implementing the 2nd respondent's proceedings made in Letter No.V2/5598/2012 dated 09.04.2012 and to construct, complete and throw open the said Taluk Office for the general public utilization of the same.

For Petitioner ::: L.Chandrakumar

For Respondents ::: Mr.S.T.S.Murthi
Special Government Pleader fo R.1 to R.4

O R D E R

(The Order of the Court was made by The Hon'ble
The Chief Justice)

The Petitioner seeks a direction for construction of the Taluk Office in the land bearing S.No.97/3B of Vazhapadi Village. This land is classified as road poramboke and a proposal was mooted to have a Taluk Office on this land, as it was suitable and the earlier proposals were given up.

2. The counter affidavit states that the National Highways Authorities are in exclusive control of this land, but have not given the consent and therefore an alternative site was located, where also there are some unauthorised encroachments. Once again, an endeavour was made to locate some land, at which stage one of the villagers voluntarily came forward to gift 1.16 Acre of land in 'S.No.63/4' for construction of Taluk Office.

3. On verification about the illegality of the holding, absence of any acquisition proceedings and suitability, this proposal was found feasible and has been forwarded to the authorities concerned. As to why for the last three years this has not fructified is not known.

4. The fact however remains that as far as the grievance of the petitioner not going by the original proposal is concerned, this is not possible, as the land has not been released by the National Highways Authorities.

5. The writ petition accordingly stands dismissed, leaving the parties to bear their own costs. Consequently, Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ksr

To

1.The Principal Secretary, Revenue Department, Fort St.George,
Chennai 9.

2.The Additional Secretary-cum-
Commissioner for Revenue Administration
Ezhilagam, Chepauk, Chennai 5.

3.The District Collector, Salem District.

4.The Tahsildar, Vazhapadi, Salem District.

1 cc to M/s.L.Chandrakumar, Advocate, sr.34923
1 cc to Government Pleader, sr.34752

W.P.No.29350 of 2013

rp co
kra 13.07.2016



WEB COPY