



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) No.22770 of 2016

K.Gowthami

... Petitioner

-vs-

1.The Special Tahsildar (Land Acquisition)
South Housing Project,
Madurai.

2.The Executive Engineer cum Administrative Officer,
Tamil Nadu Housing Board, Madurai. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider and dispose of the representation dated 30.03.2016 which has been sent for protecting the petitioners property situated at Survey No.67/5 (at the eastern side measuring to the extent of 25 cents) Utchapatti Village, Thirumangalam Taluk, Madurai District as expeditiously as possible more particularly within the time stipulation as prescribed by this Court.

For petitioner

... Mr.R.Anand

For Respondents

... Mr.M.Murugan

Government Advocate

ORDER

The petitioner is an aggrieved person, because of the non-consideration of the representation dated 30.03.2016, under which, protection for the property of the petitioner has been sought for.

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

3.According to the petitioner, her father purchased the property in dispute vide a sale deed in document No.1131/1993. Out of which, she was allotted 25 cents of land and from the date of allotment, she is in possession of the same.

4.The claim of the petitioner is that for the purpose of implementing a project by name South Housing Project Phase - II, the property of the petitioner's father was acquired and the property of the petitioner was left out by the authorities, as it



is not suitable to implement the scheme. But the respondents quite often visit the land and they are disturbing the petitioner from enjoying her property. Therefore, the petitioner has made a representation stating that her enjoyment over the land should not be disturbed.

WEB COPY

5.The learned Government Advocate for the respondents submitted that the first respondent is the competent authority to consider the representation of the petitioner.

6.Accordingly, the first respondent is directed to consider the representation of the petitioner dated 30.03.2016 and to pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. If the petitioner's land is not subjected to land acquisition proceedings, then it is made clear that the respondents have no right to interfere with the possession of the petitioner.

7.This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

1.The Special Tahsildar (Land Acquisition)
South Housing Project,
Madurai.

2.The Executive Engineer cum Administrative Officer,
Tamil Nadu Housing Board, Madurai.

+1 CC to Mr.R.ANAND, Advocate, SR No.73955

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.74216

W.P(MD)No.22770 of 2016
29.11.2016

SH:10.01.2017: 2P/5C