

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 13.07.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.21396 of 2014

and

M.P (MD) No.1 of 2014 and M.P (MD) No.1 of 2015

R.Revathi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By the Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai.
 2. The Director,
Town and Country Planning,
807, Anna Salai, Chennai - 600 002.
 3. The Chairman / The District Collector,
Town and Country Planning,
Trichy.
 4. The Assistant Director / Member Secretary,
Navalpattu Pudhunagar Development Planning Committee,
Condonment, Trichy - 26.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents not to convert the paddy fields in Sy.Nos.294/8 and 294/5 Navalpatti Village, Thiruvarambur Sub Registration District and Tiruchirappalli District into housing plots.

For Petitioner : Mr.T.Ramesh Raja

For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate for R.1 to R.4

ORDER

This Writ Petition has been filed to forbear the respondents from converting the paddy fields in S.Nos.294/8 and 294/5 Navalpatti Village, Thiruvarambur Sub Registration District and Tiruchirappalli District into housing plots.



2. The case of the petitioner is as follows:

2.1. The petitioner has purchased some nanja lands in S.Nos.294/8 and 294/5, Navalpatti Village, Thiruvarambur Sub Registration District and Tiruchirappalli District, to an extent of 98 cents vide sale deeds dated 22.09.1993 and 15.06.1995, on which she was carrying out agricultural operations.

2.2. On 10.12.2014, the fourth respondent herein issued a notification in Dhina Malar (Daily) calling for objection, if any, from the public regarding the lands in S.Nos.294/2A, 294/19, 294/20, 304/1A and 305/2, Navalpattu Village, Thiruvarambur Taluk, Tiruchirappalli District, which are proposed to be converted as housing plots.

2.3. Pursuant to the same, the petitioner herein filed a letter to the fourth respondent on 22.12.2014, showing her objection to the aforesaid scheme, stating that the lands belonging to her, on which she was carrying out agricultural operations, were marked in the scheme. As no action was taken on the same, the present writ petition came to be filed.

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

4. The learned Government Advocate refuted the averments made in the affidavit filed in support of the petition and filed a detailed counter affidavit, wherein it is specifically stated that the Executive Engineer & Administrative Officer, Trichy Housing Unit, Kajah Malai Colony, Trichy, submitted an application on 26.11.2014, for converting the said agricultural land in to residential land, as per the provisions of the Tamil Nadu Country Planning Act.

5. Considering the facts and circumstances of the case, this Court directs the fourth respondent to consider the objection raised by the petitioner with regard to land acquisition, dated 22.12.2014, before taking any decision in the aforesaid scheme.

6. With the above direction, this Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl side)

/True copy/



To

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai.
2. The Director,
Town and Country Planning,
807, Anna Salai, Chennai - 600 002.
3. The Chairman / The District Collector,
Town and Country Planning,
Trichy.
4. The Assistant Director / Member Secretary,
Navalpattu Pudhunagar Development Planning Committee,
Condonment, Trichy - 26.

+1 cc to Special Government Pleader in SR.No.65622

gk/smn

AE/MR KKR/SAR3/20.07.2017/3P/6C

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