



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.7376 of 2014

S.Jeyaprakash

... Petitioner

Vs.

1.The Secretary to Government,
Department of National Highways,
Fort St. George,
Chennai - 9.

2.The District Collector,
Madurai District.

3.The Divisional Engineer,
National Highways,
Madurai - 20.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st respondent to consider and pass orders on the application preferred by the petitioner dated 01.03.2014 to return back the lands of the petitioner in S.Nos.49/13D, 49/13E of Samayanallur Village, Madurai North Taluk, Madurai District.

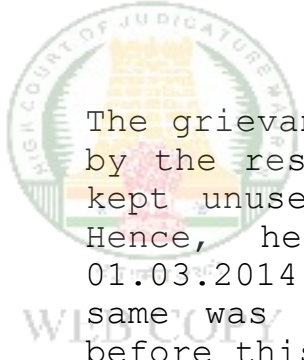
For Petitioner : Mr.V.Kannan
For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate.

O R D E R

This writ petition has been filed, seeking to direct the 1st respondent to consider and pass orders on the application preferred by the petitioner dated 01.03.2014 to reconvey the lands of the petitioner in S.Nos.49/13D, 49/13E of Samayanallur Village, Madurai North Taluk, Madurai District.

2. Heard the learned Counsel on either side.

3. It is the case of the petitioner that his grand father, Nadar is the owner of an agricultural land situated at Samayanallur Village, Madurai North Taluk in S.Nos.49/13D, 49/13E and the petitioner is one of the legal heirs.



The grievance of the petitioner is that the said land was acquired by the respondents in the year 1982, but till now the lands were kept unused and the schemes also dropped by the 3rd respondent. Hence, he made a representation to the respondents, dated 01.03.2014 for reconveyance of the said land to him and since the same was not considered by the respondents, the petitioner is before this Court.

4. By relying on the counter affidavit, the learned Government Advocate submitted that originally the lands were acquired for the purpose of road widening and the same would be utilized for the said purpose in the nearest future, in respect of which, no decision has been taken as of now. Hence, the lands could not be re-conveyed to the original land owner.

5. Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 01.03.2014 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To:

1.The Secretary to Government,
Department of National Highways,
Fort St. George,
Chennai - 9.

2.The District Collector,
Madurai District.

3.The Divisional Engineer,
National Highways,
Madurai - 20.

+1CC to Mr.K.Badurus Zaman, Advocate, SR.No.69893

+1CC to the Special Government Pleader SR.No. 70607

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