



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.MAHADEVANW.P.(MD) No.15619 of 2017

P.Ramachandran

... Petitioner

-Vs-

1.The District Collector,
Madurai District,
Madurai-20.

2.The Commissioner,
Madurai Corporation,
Madurai City,
Madurai District.

3.The Special Officer,
Anaiyur Panchayat,
Anaiyur,
Madurai North Taluk,
Madurai District.

4.The Revenue Divisional Officer,
Collectorate Campus,
Madurai-20,
Madurai District.

5.The Tahsildar,
Madurai North Taluk,
Collectorate Campus,
Madurai-20,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to either provide compensation or alternative land to the petitioner in lieu of his acquired land of 17300 Sq.ft out of 53904 Sq.ft in Survey No.26/7 at S.Alangulam, Madurai North Taluk, Madurai District for laying Mahatma Gandhi Nagar Public Road through S.Alangulam, on the basis of the representation dated 03.06.2015.



For R2

: Mr.T.S.Mohammed Mohideen

WEB COPY

O R D E R

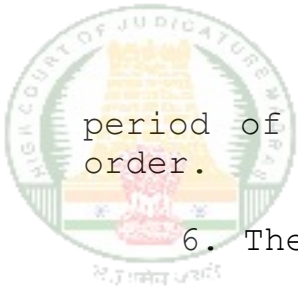
The petitioner seeks for a direction to the respondents to either provide compensation or alternative land to the petitioner in lieu of his acquired land of 17300 sq.ft out of 53904 sq.ft in Survey No.26/7 at S.Alangulam, Madurai North Taluk, Madurai District for laying Mahatma Gandhi Nagar Public Road through S.Alangulam, on the basis of the representation dated 03.06.2015.

2.The case of the petitioner is that he is the owner of the land to an extent of 52904 sq.ft comprised in S.No.26/7 situated at S.Alangulam, Madurai North Taluk, Madurai District. In the said land, the 3rd respondent acquired to an extent of 17,300 sq.ft., for the purpose of laying Mahatma Gandhi Nagar Public Road, without any prior notice and without providing of any compensation. In respect of the same, the petitioner sent a representation on 03.06.2015 to the 1st and 2nd respondents seeking to provide either compensation or alternative land. Since there is no response, the petitioner sent a RTI Application to the second respondent. The second respondent through his proceedings dated 28.02.2016 replied that the land in S.No.26/7 at S.Alangulam Village, acquired for laying Mahatma Gandhi Nagar Public Road, had come under the Jurisdiction of the second respondent and no other details furnished. Even thereafter, there is no progress, hence, the present writ petition.

3.Though the petitioner has sought for the larger relief as above, the learned Counsel appearing for the petitioner would submit that it would suffice, if the representation dated 03.06.2015 submitted by the petitioner may be directed to be considered by the second respondent.

4.Heard the learned Counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents 1, 3 to 5 and the learned standing counsel appearing for the second respondent, who would submit that if a reasonable time is granted to the second respondent, appropriate orders will be passed on the representation of the petitioner.

5. In view of the above submission and also considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the second respondent to consider the representation of the petitioner dated 03.06.2015 and pass appropriate orders on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as interested parties, if any, within a



period of six weeks from the date of receipt of a copy of this order.

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

WEB COPY

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Madurai District,
Madurai-20.

2.The Special Officer,
Anaiyur Panchayat,
Anaiyur,
Madurai North Taluk,
Madurai District.

3.The Revenue Divisional Officer,
Collectorate Campus,
Madurai-20,
Madurai District.

4.The Tahsildar,
Madurai North Taluk,
Collectorate Campus,
Madurai-20,
Madurai District.

+One cc to M/s.T.Indrachithu, Advocate, SR.No.79947
+One cc to M/s.T.S.Mohamed Mohideen, Advocate, SR.No.80317
+One cc to The Special Government Pleader, SR.No.79845

skn

RL/8C/3P/GT/SAR2/31/10/2017

W.P. (MD) No.15619 of 2017