



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.4403 of 2017
and
W.M.P (MD) Nos.3534 and 3535 of 2017

P.Siddhanathan

.. Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Superintendent of Police,
Virudhunagar District, Virudhunagar.
3. The Revenue Divisional Officer,
Sattur, Virudhunagar District.
4. The Tahsildar,
Sattur, Virudhunagar District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the first respondent in his proceedings Na.Ka.No.A4/34587/16, dated 02.03.2017 and consequently to consider the objection preferred by the petitioner within a stipulated time.

For Petitioner : Mr.R.Rajesh
For Respondents : Mr.M.Govindan,
Special Government Pleader.

ORDER

[Order of the Court was made by A.SELVAM, J.]



proceeding dated 02.03.2017 passed in Na.Ka.No.A4/34587/16 by the first respondent and quash the same, by way of issuing a writ of certiorarified mandamus.

2.Mr.M.Govindan, learned Special Government Pleader, has taken notice for the respondents.

3.The learned counsel appearing for the petitioner has contended to the effect that the land in question is comprised in Survey No.927/2B1 and 926/2, Melamadai Village, Sattur Taluk, Virudhunagar District, wherein the second respondent is going to construct a police station and further the land in question is being used by the general public for so many purposes and under the said circumstances the petitioner has given an objection and the same has been rejected without sufficient cause and therefore the impugned proceeding issued by the first respondent is liable to be quashed.

4.The learned Special Government Pleader appearing for the respondents has contended to the effect that in both survey numbers total extent of 97 cents is available and police station is going to be constructed in a small place and further the petitioner is not having any *locus standi* to raise any objection, since the land in question is the absolute property of the Government and the first respondent has rightly rejected the objection raised by the petitioner and therefore the present petition deserves to be dismissed.

5.It is an admitted fact that the land mentioned in the impugned proceeding is the absolute property of the Government and the Government is having prerogative right to give the same for constructing a police station and further as rightly pointed out on the side of the respondents, the total extent of survey number is 97 cents and in a small portion, police station is going to be constructed. Therefore, viewing from any angle the objection raised by the petitioner is not factually sustainable. The first respondent after considering the objection raised by the petitioner has rightly rejected the same by way of passing the impugned proceeding and therefore the relief sought in the writ petition cannot be granted.

6.In fine, this writ petition is dismissed without costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar(CS-II)



To

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Superintendent of Police,
Virudhunagar District, Virudhunagar.

3. The Revenue Divisional Officer,
Sattur, Virudhunagar District.

4. The Tahsildar,
Sattur,
Virudhunagar District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 15495

+ 1 CC TO Mr.R.RAJESH, ADVOCATE IN SR No. 14991

SMN

TE/SKN-RSK : 27/03/2017 : 2P/7C

ORDER MADE IN
W.P(MD)No.4403 of 2017 and
W.M.P(MD)Nos.3534 and 3535 of 2017
16.03.2017