



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2017

CORAM

THE HON'BLE MR.JUSTICE A.SELVAM
and
THE HON'BLE MR.JUSTICE N.AUTHINATHAN

W.P(MD) No.937 of 2017
and
WMP(MD) No.796 of 2017

A.Thangavel ... Petitioner

-vs-

- 1.The Principal Secretary,
Government of Tamil Nadu,
St.Fort George,
Chennai.
- 2.The District Collector,
Tiruchirapalli District.
- 3.The Director of Town Panchayat,
O/o.the Directorate of Town Panchayat,
Kuralagam,
Chennai - 600 108.
- 4.The Assistant Director of Town Panchayat,
O/o.District Collectorate,
Tiruchirapalli District.
- 5.The Tahsildrar,
Mannachanallur Taluk,
Tiruchirapalli District.
- 6.The Executive Officer,
Mannachanallur Town Panchayat,
Tiruchirapalli District.
- 7.The President,
Mannachanallur Town Panchayat,
Tiruchirapalli District.
- 8.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam,
Thanjavur District.

... Respondents

utilize the Land

For RR - 1 to 5 : Mr.M.Govindan
Special Government Pleader
For RR - 6 & 7 : No appearance
For R - 8 : Mr.D.Sivaraman

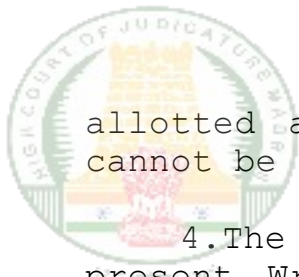
O R D E R

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

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 2 to 7 to implement the underground drainage and sewage pumping station project in Survey No.135/1 which has been acquired under Land Acquisition Act for the very same purpose by way of issuing a Writ of Mandamus.

2.The learned counsel appearing for the petitioner has contended to the effect that Survey No.135/1 has been acquired only for establishing underground drainage and sewage pumping station. But now the respondents are making arrangements to establish a Government bus depot in the said survey number and therefore, the present Writ Petition has been filed for getting the relief sought therein.

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allotted and therefore, the relief sought in the Writ Petition cannot be granted.

4.The only point that comes up for consideration in the present Writ Petition is as to whether Survey No.135/1 can be utilized for some other purpose other than the purpose for which the same has been acquired under the Land Acquisition Act.

5.The main contention put forth on the side of the petitioner is that Survey No.135/1 has been acquired only for specific purpose. Now attempts are being made to use the same for some other purpose.

6.It is an admitted fact that totally four survey numbers have been acquired for the purpose mentioned in the petition.

7.The contention put forth on the side of the contesting respondents is that the Town Panchayat, Mannachanallur has passed a resolution so as to give a portion of Survey No.131/5 for establishing Government bus depot.

8.As pointed out on the side of the contesting respondents, the Government of Tamil Nadu have issued G.O.(D).No.202, Municipal Administration and Water Supply (TP.2) Department on 17.05.2017, wherein it is clearly mentioned to establish underground drainage system in Mannachanallur and necessary fund has also been allotted.

9.Considering the fact that the Government of Tamil Nadu after examining necessary things, has passed G.O.(D).No.202, Municipal Administration and Water Supply (TP.2) Department on 17.05.2017 and also considering that only a portion of Survey No.135/1 has been given for establishing Government bus depot, this Court is of the view that the relief sought in the Writ Petition cannot be granted and altogether, the present Writ Petition deserves to be dismissed.

10.In fine, this Writ Petition is dismissed. No costs. Connected WMP(MD)No.796 of 2017 is closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1.The Principal Secretary, Government of Tamil Nadu,
St.Fort George, Chennai.



2.The District Collector, Tiruchirapalli District.

3.The Director of Town Panchayat,
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8.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam,
Thanjavur District.

+One cc to The Special Government Pleader, SR.No.60564

+One cc to Mr.G.S.Asok Adthiya, Advocate, SR.No.60678

mj

RL/11C/4P/KP/SAR1/21/6/2017

W.P(MD) No.937 of 2017

15.06.2017