



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.13567 of 2011

I.Muthu

... Petitioner

-vs-

1. The Collector,
Madurai District,
Madurai.
2. The Commissioner,
Madurai Corporation,
Tallakulam, Madurai.
3. The Tahsildar,
Madurai South,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the compensation to the petitioner for the petitioner's house situated at Madurai District, Madurai South Taluk, Madakulam Natham Re-survey No.170/18 IA, which was demolished by the 2nd respondent without issuing any notice and without following due process of law.

For Petitioner : Mr.D.Anbarasu

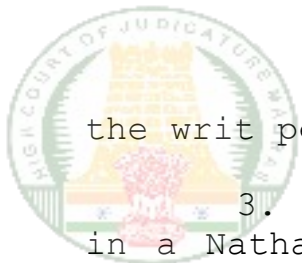
For Respondents : Mr.J.Gunaseelan Muthiah
Govt. Advocate

O R D E R

This writ petition has been filed, seeking a direction to the respondents to pay the compensation to the petitioner for the petitioner's house situated at Madurai District, Madurai South Taluk, Madakulam Natham Re-survey No.170/18 IA, which was demolished by the 2nd respondent without issuing any notice and without following due process of law.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned counsel on either side. By consent,



the writ petition is taken up for final disposal.

3. The case of the petitioner is that he has been residing in a Natham Purampokku for the past 20 years and the petitioner sent a letter dated 04.08.2010 to the 2nd respondent for issuance of patta, which did not yield any fruitful results. Though there were several rounds of litigation between the petitioner and the respondents, on one fine morning, the 2nd respondent came with a JCB machine and demolished the house of the petitioner without following the due process of law. Therefore, having left no other remedy, the petitioner subsequently made a representation to the respondents on 24.01.2011 for claiming compensation and providing alternative place. Since there was no response on the said representation, the petitioner is before this Court with the above direction.

4. The learned Government Advocate appearing for the respondents would submit that if a reasonable time is granted to the respondents, the representation of the petitioner will be considered and suitable orders passed in a time bound manner.

5. In view of the above submission, this Court, without going into the merits of the matter, directs the respondents, more particularly the 1st respondent to consider the representation submitted by the petitioner dated 24.01.2011 and pass necessary orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The Collector,
Madurai District,
Madurai.

2. The Commissioner,
Madurai Corporation,
Tirukullam, Madurai.



3. The Tahsildar,
Madurai South,
Madurai District.

+1cc TO Mr.J.Gunaseelan Muthiah , Advocate in SR No. 83703
+1cc to The Special Government Pleader in SR.No.84016

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AE/MR KKR/SAR2/08.11.2017/3P/6C

W.P (MD) No.13567 of 2011
26.10.2017