

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10..08..2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.19992 of 2018

and

W.M.P.No.23399 of 2018

M.A.Matheen

... Petitioner

-Versus-

1.The District Collector,
Thiruppur,
Thiruppur District.

2.The Special Tahsildar (Land Acquisition)
-cum-District Revenue Officer,
Thiruppur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents from demolishing the building of the petitioner situated at Door No.156, Kamaraj Road, M.M.Y. Complex, Tiruppur Town, without following the direction issued by the High Court and without following the procedure as contemplated under The Land Acquisition Act.

For Petitioner : Mr.S.Thiruvengadam

For Respondents : Mr.M.Elumalai, GA for
R1 and R2

ORDER

The petitioner, who claims to be the owner of the land and building situated at Door No.156, Kamaraj Road, M.M.Y. Complex, Tiruppur Town, has come up with this writ petition seeking to issue a writ of mandamus forbearing the respondents from demolishing the building in question without following the directions issued by the High Court and without following the procedure as contemplated under The Land Acquisition Act.

2. Heard both sides.

3. The learned counsel for the petitioner submitted that without passing Award under the Land Acquisition Act, the respondents are taking steps to demolish the building of the petitioner situated at No.156, Kamaraj Road, M.M.Y. Complex, Tiruppur Town.

4. The learned Government Advocate appearing for the respondents filed a status report wherein the Divisional Engineer, Highways, Construction and Maintenance, Tirupur, stated that enquiry as contemplated under The Tamil Nadu Highways Act, 2001 and the rules framed thereunder has been over and the process of valuation of the lands and buildings is on and as soon as the same is over, the District Revenue Officer will submit the proposal for approval to the Commissioner for Land Administration, Chennai for payment of compensation for the Lands and Buildings covered by the acquisition proceedings.

5. The learned Government Pleader, on instructions from the respondents, submitted that the respondents are not taking any steps to demolish the buildings. The said statement is recorded.

6. In view of the above, this court is of the view that there is no imminent threat of demolition of buildings as apprehended by the petitioner and as such no further adjudication is required in this writ petition.

7. In the result, this writ petition is disposed of recording the submission made by the learned Government Pleader. No costs. Consequently, connected MP is closed.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The District Collector, Thiruppur,
Thiruppur District.

2.The Special Tahsildar (Land Acquisition)
-cum-District Revenue
Officer, Thiruppur.

+ 1 cc to Mr. S. Thiruvengadam, Advocate sr.55160

+ 1 cc to the Government Pleader Sr.55302

W.P.No.19992 of 2018

(AR-CO)

EU(16/08/2018)