



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P(MD)No. 22671 of 2017 and
W.M.P. (MD)No.18971 of 2017

AL.Velayutham

.. Petitioner

Vs.

1. The District Collector,
The District Collector Office,
Pudukkottai & District.
2. The District Revenue Officer,
The District Collector Office,
Pudukkottai & District.
3. The Revenue Divisional Officer,
R.D.O. Office,
Public Office Campus,
Pudukkottai & District.
4. The Assistant Director (Panchayat),
The District Collector Office,
Pudukkottai & District.
5. The Commissioner of Panchayat Union,
Thirumayam Panchayat Union Office,
Thirumayam Post,
Pudukkottai District.
6. The Block Development Officer,
Thirumayam Panchayat Union Office,
Thirumayam Post, Pudukkottai District.
7. The Tahsildar,
Thirumayam Taluk Office,
Thirumayam Post,
Pudukkottai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to shift the weekly market from S.F.No.484/3 place to S.F.No.76 measuring about 1 hectare and 52 ares (Sandhai) in Kuzhipirai Village, Thirumayam Taluk, Pudukkottai District.



For Petitioner : Mr.K.Baalasundharam
For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader
for R.1 to R.5 and R.7
: Mr.M.Murugan
for Mr.M.Rajarajan
Government Advocate for R.6

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

By consent, the writ petition itself, is taken up for final disposal.

2. The writ petition, which is styled as Public Interest Litigation, is filed by a former member of Ward No.4 of Kuzhipirai Panchayat Union and he would state that a land admeasuring to an extent of 1 hectare and 52 ares situated in S.F.No.76 of Kuzhipirai Village has been classified as "Sandhai" in the relevant revenue records and it was in existence to very many years and however, due to the pressure extracted by the local body, it was shifted to the land in S.F.No.484/3 admeasuring to an extent of 26 ½ cents. According to the petitioner, the said area is wholly inadequate for conducting the market for the reason that very many people in and around the village of Kuzhipirai used to draw the place on thursday and in this regard, the petitioner submitted a representation dated 28.11.2017 to the respondents to once again shift the market to the land in S.F.No.76 of Kuzhipirai Village. Since no response is forthcoming, the petitioner came forward to file the present writ petition.

3. Heard the submissions of the learned Counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents 1 to 5 and 7 and Mr.M.Murugan, learned Government Advocate appearing for the sixth respondent.

4. The learned Government Advocate appearing for the sixth respondent, today, produced a letter dated 14.12.2017 in Na.Ka. T.4/1282/2017 addressed to the Government Pleader stating among other things that in the light of the representation submitted by the petitioner, a proposal to put up superstructure in S.F.No.76 of Kuzhipirai Village has been dropped and necessary proposal has been forwarded to the District Collector / Chairman of the District Rural Development Agency for orders.

5. The said letter is taken on file and recorded.

6. In the light of the said development, this Court directs the sixth respondent to send a communication to that effect to the petitioner within a period of two weeks from the date of receipt of a copy of this order.



7. The Writ Petition stands disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
The District Collector Office,
Pudukkottai & District.
2. The District Revenue Officer,
The District Collector Office,
Pudukkottai & District.
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R.D.O. Office,
Public Office Campus,
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4. The Assistant Director (Panchayat),
The District Collector Office,
Pudukkottai & District.
5. The Commissioner of Panchayat Union,
Thirumayam Panchayat Union Office,
Thirumayam Post,
Pudukkottai District.
6. The Block Development Officer,
Thirumayam Panchayat Union Office,
Thirumayam Post, Pudukkottai District.
7. The Tahsildar,
Thirumayam Taluk Office,
Thirumayam Post,
Pudukkottai District.

+ 1 CC TO Mr.K.BAALASUNDHARAM, ADVOCATE IN SR No. 43364
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 43670

SSL

TE/KKR/SAR-3 : 14/02/2018 : 3P/10C