

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5233 of 2010

And

M.P.No.1 of 2010

P.Rajeswari

... Petitioner

Vs.

- 1.The State of Tamil Nadu,  
rep. by its Secretary to Government,  
Rural Development and Panchayat Raj Department,  
Secretariat, Fort St.George, Chennai - 9.
- 2.The Director of Town Panchayats,  
Kuralagam, Chennai - 600 108.
- 3.The District Collector,  
Salem District, Salem.
- 4.The Assistant Director of Town Panchayats,  
Shankar Nagar, Salem - 636 007.
- 5.The Valapadi Selection Grade Town Panchayat,  
rep. by its Executive Officer, Valapadi,  
Salem District.

6.P.Kalaivani Prabakaran

7.K.C.Madhaiyan

8.B.Lazar

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from taking any decision or steps to lay a new road through the patta land of the petitioner comprised in S.No.92/1C measuring an extent of 0.97.0 Hectare at Valapadi Village, Salem District without the authority of law and to pay a sum of one lakh rupees by way of compensation for the damages caused to the petitioner.

For Petitioner : Mr.V.Ayyadurai

For Respondents: Mrs.K.Bhuvaneswari for R1 to R4  
Additional Government Pleader  
Mr.A.Arumugam for R5

O R D E R

The writ petition has been filed seeking issuance of Writ of Mandamus forbearing the respondents from taking any decision or steps to lay a new road through the patta land of the petitioner comprised in S.No.92/1C measuring an extent of 0.97.0 Hectare at Valapadi Village, Salem District without the authority of law and to pay a sum of one lakh rupees by way of compensation for the damages caused to the petitioner.

2.The learned counsel appearing for the petitioner would submit that the disputed property belonged to the petitioner and without authority of law, the respondents tried to lay road, against which, the present writ petition has been filed.

3.The learned counsel appearing for the fifth respondent would submit that he received information from the fifth respondent that there is no proposal for laying road in S.No.92/1C, as apprehended by the petitioner and also produced a copy of the letter dated 27.10.2014 from the fifth respondent.

4.In view of the above, nothing survives for further adjudication in this writ petition. The copy of the letter dated 27.10.2014 is taken on record. If the Official respondents want to acquire the land for public purpose, liberty is granted to them, however, they may follow the procedure as contemplated under the Act. Liberty is also given to the petitioner to work out her remedy in the manner known to law.

5.With the above observation, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

s/d-  
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

pri

To

- 1.The Secretary to Government,  
Rural Development and Panchayat Raj Department,  
Secretariat, Fort St.George, Chennai - 9.
  - 2.The Director of Town Panchayats,  
Kuralagam, Chennai - 600 108.
  - 3.The District Collector,  
Salem District, Salem.
  - 4.The Assistant Director of Town Panchayats,  
Shankar Nagar, Salem - 636 007.
  - 5.The Valapadi Selection Grade Town Panchayat,  
rep. by its Executive Officer, Valapadi,  
Salem District.
- +1 CC to Mr.G. Gokul, Advocate sr 65245.  
+1 CC to Mr.A.Arumugam, Advocate sr 65092.  
+1 CC to Govt. Pleader sr 65067.

W.P.No.5233 of 2010  
And  
M.P.No.1 of 2010

BS (CO)  
SP (29/08/2019)

सत्यमेव जयते

WEB COPY