



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.12.2019**

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.15532 of 2019

and

W.P. (MD) .Nos.12182 and 12183 of 2019

WEB COPY

R.Dhanalakshmi

... Petitioner

Vs.

The Commissioner and Special Officer,
Trichy Corporation,
Trichy City.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned tender notification No.36/2019-2020 dated 03.06.2019 issued by the respondent published in the official website <http://tenders.gov.in> and quash the same and consequently, direct the respondent to handover the petitioner's property in Old T.S.No.4049 in an extent of 321 Square meter situated at Puthur Village, T.S.No.82, Ward-B, Block-21, Annamalai Nagar, Karur Bypass Road, Trichy and to pay the compensation amount of Rs.5,00,000/- to the petitioner for illegally encroached the petitioner's property.

For Petitioner : Mr.A.P.Muthupandian

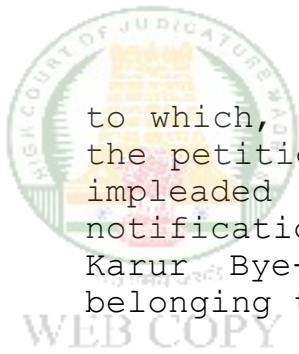
For Respondent : Mr.N.s.Karthikeyan
Standing counsel

ORDER

This writ petition has been filed challenging the impugned tender notification dated 03.06.2019 issued by the respondent.

2.Heard Mr.A.P.Muthupandian, learned counsel appearing for the petitioner and Mr.N.S.Karthikeyan, learned Standing Counsel appearing for the respondent.

3.According to the petitioner, originally the property belonged to the father-in-law of the petitioner viz., Ramanuja Naidu, having got the same by partition suit in O.S.No.198 of 1937 on the file of the District Munsif Court, Trichy. The said suit was compromised between the plaintiff and the defendant and thereafter, the said Ramanuja Naidu, died on 27.02.1985 and his son Ramadoss, who is the husband of the petitioner also died on 10.06.1996. In the mean while, there was LAOP proceedings in L.A.O.P.No.13 of 1970, pursuant



to which, E.A.No.1163 of 1986 was filed to recognize the husband of the petitioner as the legal heir of Ramanuja Naidu. If she was also impleaded as a claimant and the claim was proved, the impugned notification dated 11.07.2019 for laying a road in Ward No.57, Karur Bye-pass Road to Tajmahala Road, stating that the land belonging to the petitioner is to be included.

4.The learned counsel appearing for the respondent contended that the land in T.S.No.82 belongs to the Government, which is a Government Poramboke land and the same is not a patta land belonging to any private party.

5.Accepting the submission narrated above, that the petitioner obtained decree in O.S.No.198 of 1937, she has not produced any title document before the authority. The petitioner is not able to correlate the proposed road, over lapping in her property. The petitioner is unable to furnish any document to establish that the proposed road is laid on the land belonging to the petitioner. In the absence of any evidence that if the petitioner has got any iota of evidence necessarily the petitioner has to dispute and stop the tender issued by the respondent.

6.In the absence of any material to show that the petitioner is entitled for any indulgence from this Court and no document has been furnished by the petitioner, the Writ Petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:
The Commissioner and Special Officer,
Trichy Corporation, Trichy City.

+1 CC to M/s.N.S.KARTHIKEYAN, Advocate (SR-104423[F] dated 11/12/2019)

+1 CC to M/s.A.P.MUTHU PANDIAN, Advocate (SR-104694[F] dated 12/12/2019)

W.P (MD)No.15532 of 2019

and

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11.12.2019

JMN (07.01.2020) 2P : 4C

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