



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 28.08.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) NO. 18577 OF 2019

C.Balasubramaniyan

.. Petitioner

- Vs -

1. The District Collector
Madurai District, Madurai.

2. The District Revenue Officer
Madurai Collectorate Office
Madurai 625 020.

3. The Block Development Officer
Village Panchayat
Thiruparamkundram Union Office
Thiruparamkundram.

4. The Tahsildar
Tiruparamkundram Taluk
Thirunagar, Madurai - 6.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to take appropriate action in Survey No.7/1, which is government land in Vedarpulliyangulam Village present location and allot that said land for public welfare usage and stop and safeguard the land by considering the representation dated 29.7.2019.

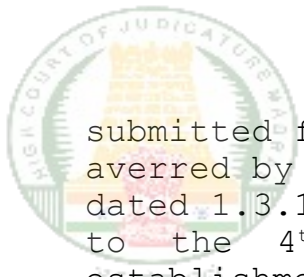
For Petitioner : Mr. M.A.Abdul Muthalif

For Respondents : Mr. A.K.Baskarapandian, Spl. G.P.

ORDER

(Order of the Court was made by M.Sathyannarayanan, J.)

The petitioner claims to be a public interest litigant and according to him, the land in survey No.7/1, admeasuring to an extent of 2.97.5 Hectare, Vedarpulliyangulam Village, is classified as waste land (punjai tharisu) and representations have been



submitted for using the said land for public purpose. It is further averred by the petitioner that the 3rd respondent, vide communication dated 1.3.19 in Na.Ka. No.261/2018/T2 made a positive recommendation to the 4th respondent for development of the said land for establishment of bus stand, park, playground, etc., and despite a lapse of nearly five months, nothing is moving forward and, hence, came forward to file this petition.

2. Heard the submission of the learned counsel for the petitioner, who has drawn the attention of this Court to the affidavit filed in support of the writ petition and typed set of documents and submits that on the portion of the land, three house site pattas have been given and since there is lot of vacant space, there cannot be any impediment to use the rest of the land for public purpose and prays for appropriate orders.

3. The Court heard the submissions of Mr.A.K.Baskarapandian, learned Special Government Pleader, who accepts notice for respondents 1 to 4.

4. This Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in the representation dated 29.7.19 or in this writ petition, directs the 4th respondent to act on the communication of the 3rd respondent, dated 1.3.19, made in Na.Ka. No.261/2018/T2 and take appropriate action in accordance with law within a period of eight weeks from the date of receipt of a copy of the order and communicate the decision taken to the petitioner.

5. This writ petition is disposed of accordingly.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector
Madurai District, Madurai.
2. The District Revenue Officer
Madurai Collectorate Office
Madurai 625 020.



3. The Block Development Officer
Village Panchayat
Thiruparamkundram Union Office
Thiruparamkundram.

4. The Tahsildar
Tiruparamkundram Taluk
Thirunagar, Madurai - 6.

+1 CC to Mr.M.A.ABDUL MUTHALIS, Advocate SR-84128.

+1 CC to SPL GP SR-84190 & SR-84611.

W.P. (MD) NO. 18577 OF 2019

28.08.2019

CS(16.09.2019) 3P 7C