



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 09.12.2019**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY**

**AND**

**THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

**W.P(MD)No.26109 of 2019**

**and W.M.P(MD)No.22582 of 2019**

WEB COPY

M.Natarajan

... Petitioner

Vs.

1.The District Collector,  
Kanyakumari District,  
At Nagercoil.

2.The District Revenue Officer,  
Kanyakumari District,  
At Nagercoil.

3.The Tahsildar,  
Vilavancode Taluk,  
Kulithurai,  
Kanyakumari District.

4.The Divisional Engineer (Highways),  
Construction and Maintenance,  
Nagercoil,  
Kanyakumari District.

5.The Assistant Divisional Engineer (Highways),  
Construction and Maintenance,  
Thuckalay,  
Kanyakumari District.

6.The Assistant Engineer (Highways),  
Construction and Maintenance,  
Thuckalay,  
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the fifth respondent vide Letter No.210/2019/A2 dated 05.11.2019 and quash the same as illegal and unconstitutional, consequently direct the first respondent to regularize the occupation of petitioner in S.No.575/1, Kaliyal Village, Vilavancode Taluk, Kanyakumari District on the stretch of Aralvaimozhi - Nedumangad K.M.40/10, High Road or allot alternative site as per G.O.Ms.No.465 dated 27.11.2018 before evicting the petitioner from S.No.575/1, Kaliyal Village, Vilavancode Taluk, Kanyakumari District.



For Petitioner : Mr.S.Balamurugan  
For Respondents : Mr.R.Murugan,  
Additional Government Pleader.

**ORDER**

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

The petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the fifth respondent dated 05.11.2019 and to quash the same and consequently directing the first respondent to regularize the occupation of petitioner in S.No.575/1, Kaliyal Village, Vilavancode Taluk, Kanyakumari District on the stretch of Aralvaimozhi - Nedumangad K.M.40/10, High Road or allot alternative site as per G.O.Ms.No.465 dated 27.11.2018 before evicting the petitioner from the said land.

2.Though the petitioner has challenged the order dated 05.11.2019 issued by the fifth respondent, the learned counsel appearing for the petitioner submitted that it would be suffice to direct the first respondent to consider the petitioner's representation dated 04.12.2019 seeking for alternate accommodation in the light of G.O.Ms.No.465 dated 27.11.2018.

3.The learned Additional Government Pleader appearing for the respondents submitted that the first respondent may be directed to consider the petitioner's representation in the light of G.O.Ms.No.465 dated 27.11.2018.

4.Having regard to the submissions made by the learned counsel appearing on either side, without expressing any opinion with regard to the merits of the case, we direct the first respondent to consider the petitioner's representation dated 04.12.2019 and pass orders on merits and in accordance with law in the light of G.O.Ms.No.465, dated 27.11.2018, as expeditiously as possible.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)



- 1.The District Collector,  
Kanyakumari District,  
At Nagercoil.
- 2.The District Revenue Officer,  
Kanyakumari District,  
At Nagercoil.
- 3.The Tahsildar,  
Vilavancode Taluk,  
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Construction and Maintenance,  
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- 6.The Assistant Engineer (Highways),  
Construction and Maintenance,  
Thuckalay,  
Kanyakumari District.

+1 CC to M/s.M/S.S.BALAMURUGAN, Advocate ( SR-104137[F] dated 10/12/2019 )

+1 CC to M/s.SPL GP ( SR-104183[F] dated 10/12/2019 )

**W.P (MD) No.26109 of 2019**  
**09.12.2019**

**SMA/27/12/19/3P/9C**