

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2020

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.10339 of 2020
and
W.M.P.No.12567 of 2020

S.Renganathan
S/o Sengan,
15/124, Melaveethi,
Thedavur Post, Attur Taluk,
Salem District.

... Petitioner

Vs

1. The District Collector,
Collectorate, Salem District
2. The Tahsildar,
Taluk Office, Gangavalli Taluk,
Salem District.
3. The Divisional Engineer,
Highways Department (Project Division)
Natamai Kalaga Building,
Salem.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying Writ of Mandamus, forbearing the respondents from forming any road in the petitioner's property which is situated in survey number S.Nos.376/2, 376/6A, 377/3A, 377/2, totally admeasuring 4 acres of Agricultural land, which is situated in Thedavur village, Gangavalli Taluk, Salem District, without following due process of law.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.E.Manoharan,
Special Government Pleader
rep. by Mr.S.R.Rajagopal
Additional Advocate General

O R D E R

This matter is taken up for hearing through Video-Conferencing mode.

2. Mr.E.Manoharan, learned Special Government Pleader takes notice for the respondents, who is being represented by the learned Additional Advocate General, Mr.S.R.Rajagopal.

3. The petitioner seeks for a Mandamus to forbear the respondents from forming any road in the petitioner's property, totally admeasuring 4 acres of Agricultural land, which is situated in S.Nos.376/2, 376/6A, 377/3A, 377/2, Thedavur village, Gangavalli Taluk, Salem District, without following due process of law.

4. The grievance of the petitioner is that the respondents are trying to interfere with the petitioner's private property, the subject matter in the writ petition, without following due process of law.

5. On the other hand, the learned Additional Advocate General submitted that only a survey is conducted for constructing high level bridge and a project report is being prepared and thereafter only acquisition proceedings will commence. Therefore, he submitted that the present writ petition filed by the petitioner is based on mere apprehension, without there being any cause of action. He also submitted that the respondents are not interfering with the petitioner's property as of now and if any interference is to be made in future, it would be, by following due process of law only.

6. The above statement made by the learned Additional Advocate General is recorded and the Writ Petition is closed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

mk/vsi

To

1. The District Collector,
Collectorate, Salem District.

2. The Tahsildar,
Taluk Office, Gangavalli Taluk,
Salem District.

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3. The Divisional Engineer,
Highways Department (Project Division)
Natamai Kalaga Building, Salem.

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NSA (CO)
GN(24/09/2020)



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