



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.7573 of 2020

and W.M.P. (MD) No.7061 of 2020

WEB COPY

K.Yasar Arafath

... Petitioner

Vs.

1.The District Collector,
Collectorate, Madurai District.

2.The Revenue Divisional Officer,
Melur Revenue Divisional Office,
Camp at Y.Othakadai
Madurai District.

3.The Tahsildar,
Madurai East Taluk
Narasingham, Y.Othakadai
Madurai District.

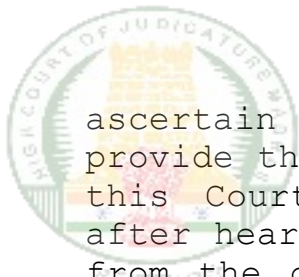
4.The Executive Engineer (PWD)
Periyar Vaigai Canal Sub Division,
Tallakulam, Madurai.

5.The Divisional Engineer,
National Highways
Besant Road, Chinnachokkikulam
Madurai.

6.The Superintending Engineer
National Highways
Besant Road,
Chinnachokkikulam
Madurai.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to restore the possession of the illegally acquired landed property to the petitioner comprised in Re-survey No.278/4, UDR Survey No.130/4B, bearing Patta No.2097 measuring to an extent of 6 cents of Vandiyur Bit II Village, presently Madurai East Taluk, Madurai District, on necessity the said property be acquired for the purpose of road laying by following the due process of law after payment of compensation to the petitioner at the prevailing market rate price, based on the petitioner's response dated 04.07.2020 to the respondents.



ascertain as to whether the possibility of taking the land or to provide the petitioner with alternate site or to pay compensation, this Court expects the District Collector to take a decision, after hearing the petitioner in person, within a period of 60 days from the date of receipt of a copy of this order. However, till such time, no further progress with laying of road shall continue with regard to the petitioner's property alone. It is made clear that if possible the proceedings before the District Collector shall be videographed, at the cost of the petitioner, so that no further complication arises and a copy of the videograph shall be provided to the petitioner immediately, at the cost of the petitioner.

9. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

RR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The District Collector,
Collectorate, Madurai District.
- 2.The Revenue Divisional Officer,
Melur Revenue Divisional Office,
Camp at Y.Othakadai
Madurai District.
- 3.The Tahsildar,
Madurai East Taluk
Narasingam
Y.Othakadai
Madurai District.



4.The Executive Engineer (PWD)
Periyar Vaigai Canal Sub Division,
Tallakulam
Madurai.

5.The Divisional Engineer,
National Highways
Besant Road, Chinnachokkikulam
Madurai.

6.The Superintending Engineer
National Highways
Besant Road,
Chinnachokkikulam
Madurai.

+1 CC to SGP (SR-20998[F] dated 03/11/2020)

Order made in
W.P. (MD)No.7573 of 2020

Dated:
02.11.2020

CK(CO)
KM (16.11.2020) 4P 8C