



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Monday, the Third day of August Two Thousand Twenty

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.SATHYANARAYANAN
and
The Hon`ble Mr.Justice P.RAJAMANICKAM

CMP(MD) No.11918 of 2018
IN
WA(MD) No.1611 of 2016

K.KATHIRESAN ... PETITIONER/PROPOSED RESPONDENT

Vs

1 S.SARANGAPANI ... RESPONDENT/ APPELLANT

2 THE SECRETARY TO GOVERNMENT,
ADHI DRAVIDAR & TRIBAL WELFARE,
FORT ST.GEORGE, CHENNAI - 600009.

3 THE COLLECTOR OF SIVAGANGAI,
SIVAGANGAI.

4 THE SPECIAL THASILDAR,
ADHI DRAVIDAR WELFARE,
COLLECTORATE, SIVAGANGAI.

... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to implead the petitioner as 4th respondent in the Writ Appeal in W.A.(MD)No.1611/2016 and thus render justice.

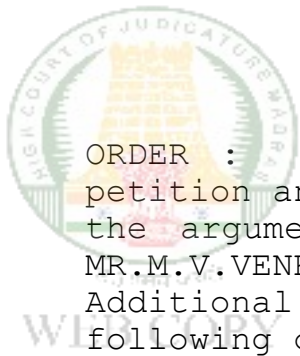
PRAYER IN WA(MD) No.1611 of 2016:

To set aside the order of learned Judge dated 27.06.2016 passed in WP.No.715 of 2009 so far as relates to the prayer of the petitioner of offer of alternative site and allow the writ appeal and thus render justice.

(*)Prayer amended vide Court order dated 07.02.2017 made in CMP(MD) No.859/17 in WA(MD) No.1611/2016 by RPSJ & JNBJ.

Prayer in WP(MD). 715/ 2009 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorari, to call for the records made in the impugned proceedings in Na.Ka.A757/08 dated 21.11.2008 issued by the 3rd respondent



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.J.JOHN, Advocate for the petitioner and of MR.M.V.VENKATASESHAN, Advocate for R1 and MR.AAYIRAM K.SELVAKUMAR, Additional Government Pleader for R2 to R4, the court made the following order:-

(Order of this Court was made by **M. SATHYANARAYANAN, J**)

Heard Mr.J.John, learned counsel for the petitioner, Mr.M.V.Venkataseshan, learned counsel for the first respondent and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader for the respondents 2 to 4 and gone through the contents of the affidavit filed in support of the petition and the counter affidavit of the first respondent.

2.Admittedly, the petitioner has filed a comprehensive Writ Petition in W.P.(MD) No.6339 of 2019, which is pending before the Hon'ble Roster Bench.

3.The only issue arose for consideration in the Writ Appeal pertains to the restrictions of the land for acquisition to an extent of 2.15 hectares. Therefore, in the considered opinion of this Court, the petitioner is neither necessary nor proper party to be heard in this Writ Appeal.

4.In the result, C.M.P.(MD) No.11918 of 2018 is dismissed.

sd/-
03/08/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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 SECRETARY TO GOVERNMENT,
ADHI DRAVIDAR & TRIBAL WELFARE,
FORT ST.GEORGE, CHENNAI - 600009.

<https://hcservices.ecourts.gov.in/hcservices/>



2 THE COLLECTOR OF SIVAGANGAI,
SIVAGANGAI.

3 THE SPECIAL THASILDAR,
ADHI DRAVIDAR WELFARE,
COLLECTORATE, SIVAGANGAI.

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+1 CC to M/s.M.V.VENKATASESHAN, Advocate (SR-5876[I] dated
04/08/2020)

ORDER
IN
CMP (MD) No.11918 of 2018
IN
WA (MD) No.1611 of 2016
Date :03/08/2020

sj
JM/JC/SAR 3/07.08.2020/3P/5C