



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :20.08.2020
CORAM

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P.(MD) No.23538 of 2019

WEB COPY

S.Vaitheeshwaran

...Petitioner

Vs.

1.The Director of Town & Country Planning,
Chennai.

2.The District Collector,
Madurai District, Madurai.

3.The Commissioner,
Thirumangalam Municipality,
Thirumangalam, Madurai District.

4.The Sub Registrar,
Thirumangalam, Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to release the petitioner's land to an extend of 25 cents in Old Survey No.50/1, New Survey No.21/1 situated in Block 6, Ward B, Thirumangalam Municipality, Madurai District, from the project called "Thirumangalam New Bus Stand Construction Plan" treating the same as lapsed under Section 38 of Tamil Nadu Town & Country Planning Act, 1971, by considering the representation given by the petitioner dated 03.10.2019.

For Petitioner : Mr.N.Sathish Babu
For R1, R2 and R4 : Mr.Mrs.V.P.M.Vaishnavi,
Government Advocate
For R3 : Mr.A.Kannan

ORDER

This Writ Petition is filed seeking for a direction, to direct the respondents to release the petitioner's land to an extend of 25 cents in Old Survey No.50/1, New Survey No.21/1 situated in Block 6, Ward B, Thirumangalam Municipality, Madurai District, from the project called "Thirumangalam New Bus Stand Construction Plan" treating the same as lapsed under Section 38 of Tamil Nadu Town & Country Planning Act, 1971, by considering the representation given by the petitioner dated 03.10.2019.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the third respondent filed a counter-affidavit, wherein, it has been stated that



"7. I submit that, even though the private land owners situated adjacent to the proposed new Bus Stand measuring with 2.63 Acres in T.S.No.3/7, 21/2, 22/1, 22/2, 22/2 & 20/1 were given their consent letters for the acquisition of their land for the construction of New Bus Stand, due to requirement of the heavy payment of compensation amount under the New land Acquisition Act, the said proposal is dropped at present. If the said private owners which includes the petitioner's land is required in future by the third respondent to extend the Bus Stand area, necessary steps will be initiated in accordance with the Land Acquisition Act. But, at present the petitioners land is not required for the construction of the New Bus Stand."

3. Recording the said submission made by the learned Additional Government Pleader, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das

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 Director of Town & Country Planning,
Chennai.

2.The District Collector,
Madurai District, Madurai.

3.The Commissioner,
Thirumangalam Municipality,
Thirumangalam, Madurai District.

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