



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

W.P. (MD)No.2973 of 2012

and

M.P. (MD) .No.1 of 2012

M.Samuthira Pandiyan

: Petitioner

Vs.

1. The District Collector,
District Collector Campus,
Madurai-625 020, Madurai District.
2. The Assistant Director (Panchayats),
District Collector Office, Madurai-625 020,
Madurai District.
3. The Tahsildar,
Madurai Road, Usilampatti Taluk,
Madurai, Madurai District.
4. The Block Development Officer,
(Village Panchayat), Block Development Officer,
Usilampatti, Madurai District.
5. The Panchayat President,
Thimanatham Post, Uthapanaikanur via,
Usilampatti Taluk, Madurai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents from laying road in the petitioner's land in survey No.186/4, to an extent of 0.82.0 hectares, 186/5 an extent of 2.52.2 hectares, 187/3 to an extent of 2.91.5 hectares, in Thimmanatham Village, Usilampatti Taluk, Madurai District, without following acquisition proceedings.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondents

: Mrs.M.Rajeswari

Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus forbearing the respondents from laying a road in the property belonging to the petitioner.



2. When the Writ Petition was entertained in the year 2012, this Court passed an order of interim injunction. This interim injunction continues till date. The respondents have not chosen to file counter affidavit in this Writ Petition. Therefore, the allegations made in the affidavit stands un-rebutted.

3. In view of the above, this Writ Petition stands disposed of by forbearing the respondents from laying any road in the property belonging to the petitioner in Survey No.186/4, measuring an extent of 0.82.0 hectares, Survey No.186/5, measuring an extent of 2.52.2 hectares, and Survey No.187/3, measuring an extent of 2.91.5 hectares, in Thimmanatham Village, Usilampatti Taluk, Madurai District. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T AND P)

// True Copy //

Sub Assistant Registrar(CS)

tsg

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,
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2. The Assistant Director (Panchayats),
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Usilampatti, Madurai District.



5. The Panchayat President,
Thimanatham Post, Uthapanaikanur via, Usilampatti Taluk,
Madurai District.

1CC TO MR. T.LAJAPATHIROY, ADVOCATE SR 17197
1CC TO THE SPL GOVT PLEADER SR 17375

GS
04/05/2021
3P/8C

Order made in
W.P. (MD)No.2973 of 2012
Dated: 22.04.2021