



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
The Hon'ble Mrs.JUSTICE R.HEMALATHA

W.P.(MD) No.1570 of 2020 and
W.M.P(MD)No.1279 of 2020

1. Malathi
2. Narayanaraj
3. Sathiyaprabhu
4. Muthukaruppasamy
5. Athisuresh

.. Petitioners

Vs

1. The District Collector,
Thoothukudi District,
Thoothukudi.

2. The Tahsildar,
Thoothukudi Taluk,
Thoothukudi.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, forbearing the respondents herein from in any way permitting the respondents for construction of any Government building on the petitioners plots i.e. Plot Nos.22,23,25,24 and 25 part comprised in S.No.65/3 situated at Mappilaioorani village, Thoothukudi Taluk and District by considering the petitioners' representation dated 21.01.2020.

For Petitioners : Mr.V.Malaiyendran

For Respondents : Mr.N.Shanmuga Selvam
Addl. Government Pleader

ORDER

[Order of the Court was made by **R.HEMALATHA, J.**]

The petitioner has filed this writ petition to forbear the respondents from in any way permitting the respondents from constructing a Government building on the petitioners' Plots i.e. Plot Nos.22,23,25,24 and 25 part, comprised in S.No.65/3, situated at Mappilaioorani Village, Thoothukudi Taluk and District.

2. Learned counsel appearing for the petitioners contended that without taking measures under the Land Acquisition Act, the



lands in aforementioned survey numbers are taken over by the Government for the purpose of constructing a Government building.

3. Mr.N.Shanmuga Selvam, learned Additional Government Pleader, accepts notice on behalf of the official respondents and on instructions, would contend that so far, no action has been initiated for acquisition of the lands in Survey No.65/3 and the petitioners may be directed to file a representation in this regard which would be considered by them.

4. Recording the above said submissions made by the learned Additional Government Pleader, the petitioners are directed to file a fresh representation before the 2nd respondent - Tahsildar within a period of two weeks from the date of receipt of a copy of the order / uploading of the order and on receipt of the said representation, the 2nd respondent - Tahsildar shall pass appropriate orders after affording opportunity to all the persons who may be affected by his decision.

5. With the above directions, W.P.(MD) No.1570 of 2020 is disposed of. There shall be no order as to costs. Consequently, connected W.M.P(MD)No.1279 of 2020 is dismissed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

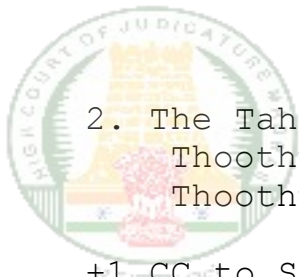
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant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

To

1. The District Collector,
Thoothukudi District,
Thoothukudi.

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



2. The Tahsildar,
Thoothukudi Taluk,
Thoothukudi.

+1 CC to SPL GP (SR-7331[F] dated 25/02/2021)

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W.P. (MD) No.1570 of 2020
24.02.2021

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