



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10527 of 2021

WEB COPY

Jeyaraman

... Petitioner

Vs.

1.The District Collector,
Pudukottai.

2.The District Revenue Officer,
(Land Acquisition),
Tiruchirappalli to Karaikudi National Highways 210 Project,
Pudukottai.

3.The District Surveyor,
Pudukottai.

4.The Revenue Divisional Officer,
Illupur Post and Taluk,
Pudukottai.

5.The Tahsildar,
Kulathur Post and Taluk,
Pudukottai.

6.The National Highways Authority of India,
represented by its Project Director,
44, 3rd Main Road,
Jaya Nagar,
Tiruchirappalli - 620 001.

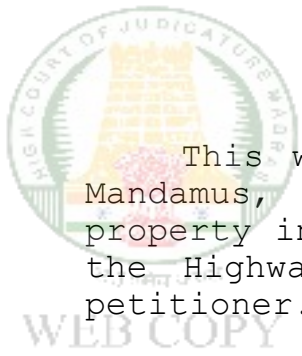
... Respondents

(R6 is suo mottu impleaded vide Court order dated 24.06.2021 in W.P. (MD).No.10527 of 2021.)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to survey the land situated in S.F.Nos.648/2, of Kulathur Village, Kalamavur Taluk, Pudukkottai District and find out the extent of encroachment made by the authorities under the land acquisition project and direct them to award compensation for the land encroached by the department of National Highways.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.M.Lingadurai for R1 to R5
Government Advocate
Mr.Arul Vadivel @ Sekar for R6



ORDER

This writ petition has been filed for the issue of a writ of Mandamus, directing the third respondent to survey the subject property in order to ascertain if any encroachment has been done by the Highways Authority into the private lands belonging to the petitioner.

2.When the matter came up for admission, on 01.07.2021, this Court directed the learned Standing Counsel appearing on behalf of the NHAI to take instructions and report before this Court as to whether any survey was conducted.

3.When the matter was taken up for hearing today, the second and sixth respondents have filed their counter affidavit along with typed set of papers.

4.On a careful perusal of the materials placed before this Court and the counter affidavit of the sixth respondent, it is seen that the survey has been conducted twice. The first survey was conducted on 25.02.2021. Once again a survey was conducted on 10.03.2021. Subsequently a report, dated 27.03.2021 has also been submitted by the second respondent.

5.In view of the above, no further orders can be passed in the present writ petition and the report shows that no encroachment has taken place inside the property of the petitioner. If in spite of the same, the petitioner is aggrieved, the petitioner has to work out his remedy in the manner known to law and no further orders can be passed in this writ petition.

6.This writ petition is disposed of accordingly. No costs.
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021
Sub Assistant Registrar(CS)

TM

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,
Pudukottai.

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



2.The District Revenue Officer,
(Land Acquisition),
Tiruchirappalli to Karaikudi National Highways 210 Project,
Pudukottai.

3.The District Surveyor,
Pudukottai.

4.The Revenue Divisional Officer,
Illupur Post and Taluk,
Pudukottai.

5.The Tahsildar,
Kulathur Post and Taluk,
Pudukottai.

6.The Project Director,
National Highways Authority of India,
44, 3rd Main Road,
Jaya Nagar,
Tiruchirappalli - 620 001.

+1 CC to M/s.GP (SR-23519[F] dated 22/07/2021)

W.P. (MD) .No.10527 of 2021
20.07.2021

Rk(27.07.2021) 3P 8C