



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 26.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.17806 of 2014

and M.P.No.1 of 2014

(Through Video Conferencing)

T.Senthoorapandi ... Petitioner

Vs.

1.The District Collector
Ramanathapuram District
Ramanathapuram.

2.The Project Director,
District Rural Development Agency
Ramanathapuram District

3.The Tahsildar,
Muthukulathur Taluk
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to forbear the respondents or their subordinates from in any way laying or constructing any road through the lands belonging to the petitioner in Survey No.224/2 Melkulam Village, Muthukulathur Taluk, Ramanathapuram District, without acquiring the same as provided under the Right to Fair Compensation and Transparency (Act 30 of 2013).

For Petitioner : Mr.M.Mahaboob Athiff for
M/s.Ajmal Associates
For Respondent : Mr.M.Rajarajan
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus forbearing the respondents from laying or constructing any road in the property belonging to the petitioner.

2. The case of the petitioner is that the subject property belongs to the petitioner absolutely and the patta also stands in the name of the petitioner. The further case of the petitioner is that the respondents attempted to lay a road over the property belonging to the petitioner. Aggrieved by the same, the present writ petition has been filed before this Court seeking for appropriate directions.

3. When the matter came up for hearing on 17.04.2021, this



Court took into account the interim order that was passed at the time when the writ petition was admitted and directed the learned Additional Government Pleader to take instructions and inform this Court about the present status.

4. The learned Additional Government Pleader, on instructions, submitted that the property in question is the patta land belonging to the petitioner and that there is no proposal to lay any road over the property belonging to the petitioner.

5. In view of the specific stand taken by the respondents, the submission made by the learned Additional Government Pleader is hereby recorded and it is made clear that the respondents will not lay any road in the property belonging to the petitioner unless the property is acquired in the manner known to law and the compensation is paid.

6. This writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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,
Ramanathapuram District, Ramanathapuram.

2.The Project Director,
District Rural Development Agency
Ramanathapuram District

3.The Tahsildar, Muthukulathur Taluk
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-17764[F] dated 27/04/2021)

W.P. (MD)No.17806 of 2014

26.04.2021

SR(CO)

TR(20.05.2021) 2P 5C

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