



W.P.(MD).No.11439 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.11439 of 2013

and

M.P.(MD)No.1 of 2013

P.Soundarapandian

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Assistant Executive Officer,
Sub Division No.1,
North Pachayar Dam Project,
Valliyoore – 627 001.

3.The Manager,
Tirupadurai Adeenam,
Pathai Vadakarai Village,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the respondents 1 and 2 from in any way dispossessing the petitioner from the land bearing Survey No.1052/2 to an extent of 1.62.0 Hectares in



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Pathai Village (Part-2) in Nanguneri Taluk in Tirunelveli District, except under taking proceedings for the acquisition of the land from the third respondent herein under the Land Acquisition Act, 1894 or any other Act in force.

For Petitioner	: M/s.P.Jessi Jeeva Priya for Mr.G.Aravinthan
For R1 and R2	: Mr.D.Sasi Kumar Additional Government Pleader
For R3	: No appearance

ORDER

The present writ petition has been filed seeking a Writ of Mandamus, for forbearing the respondents 1 and 2 from dispossessing the petitioner from Survey No.1052/2 for an extent of 1.62.0 Hectares.

2.According to the learned Counsel for the writ petitioner, the petitioner is the tenant of the third respondent Adeenam. Without acquisition proceedings, the second respondent is attempting to disposses the writ petitioner who is the tenant of the third respondent.

3.On instructions, the learned Additional Government Pleader for



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the first and second respondents submits that this survey number, namely, Survey No.1052/2, in Pathal Village (Part-2) in Nanguneri Taluk in Tirunelveli District has not been acquired and hence, the apprehension of the writ petitioner is unfounded.

4.Hence, no further order is required and the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes / No

Tmg

To

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Assistant Executive Officer,
Sub Division No.1,
North Pachayar Dam Project,
Valliyoor – 627 001.

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R.VIJAYAKUMAR ,J.

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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.

Order made in
W.P.(MD).No.11439 of 2013

29.07.2022