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W.P.(MD)NO.28099 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28099 of 2022 and
W.M.P.(MD)No.22185 of 2022

M.Shunmugiah

... Petitioner

Vs.

1. The District Revenue Officer,
Tuticorin District, Tuticorin.

2. The Tahsildar,
Kayathar Taluk, Tuticorin District.

3. The Project Director (NHAI),
National Highways Authority of India,
K.K.Nagar, Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to conclude the enquiry and pass final order on the petitioner's application dated 16.08.2022 to rectify the defect taken place during UDR Scheme as per G.O.(Ms.). No.385 Revenue Department dated 17.08.2004.

For Petitioner : Mr.A.Srinivasan

For R-1 R-2 : Mr.B.Saravanan,
Additional Government Pleader.

For R-3 : Mr.C.Arul Vadivel @ Sekar,
Standing Counsel.

* * *



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ORDER

Heard the learned counsel on either side.

2. The case of the writ petitioner is that the petition mentioned land was erroneously classified as Tharisu during UDR. He wants the said defect to be rectified.

3. The learned Standing counsel appearing for NHAI submitted that the property has since been acquired by NHAI and it is in its possession.

4. The petitioner has submitted an application and he is entitled to demand that it should be disposed of on merits and in accordance with law. Leaving open the defence of the third respondent, I direct the first respondent to dispose of the petition mentioned application on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The petitioner shall appear before the first respondent on 21.12.2022 at 3.00 p.m. The representative of the third respondent will also be



present. It is for the first respondent to pass an appropriate order on merits and in accordance with law. I make it clear that I have not gone into the merits of the matter. It is open to the first respondent to pass order one way or the other. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.12.2022

Index : Yes / No

Internet : Yes/ No

PMU

Note : Issue order copy on 15.12.2022.

To:

1. The District Revenue Officer,
Tuticorin District, Tuticorin.
2. The Tahsildar,
Kayathar Taluk, Tuticorin District.
3. The Project Director (NHAI),
National Highways Authority of India,
K.K.Nagar, Madurai.



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G.R.SWAMINATHAN,J.

PMU

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