



W.P.(MD) No.28629 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.28629 of 2022

C.Jeeva

... Petitioner

Vs.

1.The Additional Chief Secretary,
O/o. the Additional Chief Secretary,
Disaster Management Department,
Secretariat,
Chennai.

2.The Director,
Municipality Administration and
Water Supply Department,
Santhome High Road,
Raja Annamalaipuram,
Chennai.

3.The District Collector,
Madurai District, Madurai.



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- 4.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Thirumangalam Taluk,
Madurai District.
- 5.The Tahsildar,
O/o. The Tahsildar,
Thirumangalam,
Madurai District.
- 6.The Regional Director of Municipal
Administration,
O/o. Regional Director of Municipali
Administration,
Mochadai, Madurai.
- 7.The Commissioner,
Thirumangalam Municipality,
Thirumangalam,
Madurai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to provide an alternative place for demolished the petitioner's house which was situated at Door No.13, Sweeper Colony, Mohamed Shahpuram, Thirumangalam, Madurai (Survey Nos.184 and 136/2) to the petitioner in the light of G.O.(Ms).No.318 passed by the respondent No.1 dated 30.08.2019, by considering the petitioner's representation dated 15.10.2022 within the time stipulated by this Honourable Court.



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For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.V.Nirmal Kumar,
Government Advocate.

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to provide an alternative place to the petitioner, in the light of G.O.(Ms).No.318, Revenue Administration and Disaster Management Department, dated 30.08.2019, passed by the respondent No.1, by considering the petitioner's representation dated 15.10.2022, within a time frame.

2. Heard Mr.T.Thirumurugan, learned counsel for the petitioner and Mr.V.Nirmal Kumar, learned Government Advocate, who takes notice for respondents.



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3. By consent of both parties, this Writ Petition is taken up for final disposal.

4. It is the case of the petitioner that though he was residing in the house situated at Door No.13, Sweeper Colony, Mohamed Shahpuram, Thirumangalam, Madurai, in Survey Nos.184 and 136/2, the officials of the 7th respondent have demolished his dwelling house in the month of February 2021, without providing any alternative place. Hence, the petitioner has made a representation on 15.10.2022 to the respondents, seeking to provide an alternative place. However, till date, the same was not considered by the respondents. Hence, the petitioner has filed this Writ Petition.

5. Considering the facts and circumstances of the case, we are of the view that, the prayer sought for by the petitioner to provide an alternative place cannot be granted by this Court. It is for the respondents to consider the representation of the petitioner dated 15.10.2022, if he is otherwise eligible for providing an



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alternative place and pass orders on merits and in accordance with law, as early as possible.

6. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K., J.] [R.V., J.]
21.12.2022

Index : Yes / No

Internet : Yes / No

vsm

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