



WEB COPY



W.P.No.9679 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2023

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9679 of 2015

M.Paramasivam

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Petitioners

VS

1. The District Collector
Salem District, Salem.
2. The Project Director
O/o the Project Director
Salem District.
3. The Block Development Officer
Thalaivasal, Salem District.
4. The Assistant Engineer
Panchayat Union
Thalaivasal, Salem District.

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Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus, forbearing the respondents from acquiring or laying road in the petitioner's agricultural patta landed property situated in Survey No.167/7, 165/8, 165/9 and 165/10 at Vellaiyur Village and Post, Gangavalli Taluk, Salem District – 636 169 except due process of law.



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For the Petitioner : Mr.A.Rajesh Kanna

For the Respondents : Mr.P.Sanjay Gandhi
Government Advocate
for respondents 1, 2 & 4

Mr.P.Chinnadurai
for respondent 3

ORDER

The relief sought for in the present writ petition is to forbear the respondents from acquiring or laying road in the petitioner's agricultural patta land situated in Survey No.167/7, 165/8, 165/9 and 165/10 at Vellaiyur Village and Post, Gangavalli Taluk, Salem District – 636 169.

2. The learned counsel appearing on behalf of the third respondent made a submission that there is no acquisition made in respect of the property belonging to the petitioner and therefore, the writ petition is not maintainable. That apart, no road has been laid in that land belonging to the petitioner.



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3. In view of the fact that the land belonging to the petitioner has not been acquired, the relief as sought for in this writ petition deserves no further consideration and accordingly, the writ petition stands dismissed. There will be no order as to costs.

Index : Yes/No

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Neutral Order: Yes/No
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To:

1. The District Collector
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O/o the Project Director
Salem District.
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S.M.SUBRAMANIAM,J.

(drm)

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