



W.P.(MD)No.6672 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2023

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.6672 of 2021
and
W.M.P.(MD)No.5149 of 2021

S.Balsthar

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Sivagangai District.

2.The District Revenue Officer,
O/o.The District Revenue Officer,
Sivagangai District.

3.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

4.The Block Development Officer,
Devakottai Taluk,
Sivagangai District.

5.The Panchayat President,
Sarukani Panchayat,
Sivagangai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus forbearing the respondents from constructing the drainage on the middle of the petitioner's patta land situated in S.No.40/3, Sarukani Panchayat, Devakottai, Sivagangai District without



W.P.(MD)No.6672 of 2021

following due process of law and without adhere the provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 within the time period stipulated by this Court.

For Petitioner : Mr.I.Pinaygash
For Respondents : Ms.Farjana Ghoushia
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of writ of mandamus forbearing the respondents from putting up a drainage in the patta land belonging to the petitioner without following due process of law.

2.When this writ petition came up for hearing on 21.04.2021, a request was made on the side of the respondents to file counter. This Court while adjourning the case, directed the respondents not to put up the drainage in the patta land belonging to the petitioner.

3.When the matter was taken up for hearing on 16.10.2023, this Court passed the following order:

“ When the matter was taken up for hearing today, the learned counsel appearing on behalf of the petitioner submitted that in total disregard to the interim order passed by this Court on 21.04.2021, the fifth respondent has proceeded to put up a drainage in the Patta land belonging to the petitioner.



WEB COPY



W.P.(MD)No.6672 of 2021

2.The learned Additional Government Pleader is directed to take instructions in this regard.

3.Post this case under the caption “for orders” on 19.10.2023”

4.When the matter is taken up for hearing today, the learned Special Government Pleader appearing for the respondents submitted that the drainage was not laid in the patta land belonging to the petitioner. It was laid only in the place, which has been earmarked as 'Pathai' in the revenue records. The relevant documents were also produced before this Court along with photographs.

5.In view of the above, it is clear that laying of the drainage has already been completed and it has been done only in the land belonging to the Government and therefore, the apprehension raised by the petitioner no longer sustains. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

19.10.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
ta



W.P.(MD)No.6672 of 2021

N.ANAND VENKATESH, J.

ta

WEB COPY

To

- 1.The District Collector,
Collectorate,
Sivagangai District.
- 2.The District Revenue Officer,
O/o.The District Revenue Officer,
Sivagangai District.
- 3.The Tahsildar,
Devakottai Taluk,
Sivagangai District.
- 4.The Block Development Officer,
Devakottai Taluk,
Sivagangai District.
- 5.The Panchayat President,
Sarukani Panchayat,
Sivagangai District.

W.P.(MD)No.6672 of 2021

19.10.2023