



W.P.(MD).No.8938 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.8938 of 2021

Mohideen

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Commissioner,
Kadaiyanallur Municipality,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to remove the street road laid in the petitioner's land enroute in survey numbers S.No.265/1, 264/1/2A, 262/1A, 264/2B, 264/3B situated at Krishnapuram Village, Kadayanallur Taluk, Tenkasi District, by considering the representation of the petitioner dated 19.04.2021.

For Petitioner : Mr.R.Jenifar Bibin

For R-1 : Mr.A.K.Manikkam,
Special Government Pleader.

For R-2 : Mr.M.Saravana Kumar



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ORDER

This Writ Petition is filed for Mandamus, directing the second respondent to remove the street road laid in the petitioner's land enroute in survey numbers S.No.265/1, 264/1/2A, 262/1A, 264/2B, 264/3B situated at Krishnapuram Village, Kadayanallur Taluk, Tenkasi District, by considering the representation of the petitioner dated 19.04.2021.

2. According to the petitioner, the land belongs to him and he inherited from his father. The respondents without considering the petitioner's claim has laid the road. The respondents ought to have acquired the land and laid the road. Since in the present case, the respondents have already laid the road. Therefore, the respondents are directed to consider the petitioner's claim. The petitioner shall submit all the relevant documents to substantiate his claim. The respondents shall pay the compensation for the land which has been taken for laying road. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.



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3. In view of the above, this Writ Petition is allowed. There shall be no order as to costs.

22.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

- 1.The District Collector,
Tenkasi District,
Tenkasi.
- 2.The Commissioner,
Kadaiyanallur Municipality,
Tenkasi District.



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S.SRIMATHY, J.

Nsr

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