



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Twenty Second day of June Two Thousand and
Twenty Three

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PRESENT

The Hon`ble The CHIEF JUSTICE
and
The Hon`ble Mr.Justice R.SUBRAMANIAN

W.M.P (MD) No.12627 of 2023
in
W.P. (MD) No.7321 of 2023

1 JUSTIN

2 JEYARAJ

3 SHANTHINI. KR

4 SAPNA

... PETITIONERS/RESPONDENTS 8 TO 11
RESPONDENTS 8 TO 11

Vs

1 ANTO MORAIS. S

2 THE GOVERNMENT OF TAMILNADU
REP. BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT, SECRETARIAT,
CHENNAI.

3 THE DIRECTOR OF MUNICIPAL ADMINISTRATION,,
75, SANTHOME HIGHWAY, RAJA ANNAMALAIPURAM,
CHENNAI 028.

4 THE DISTRICT COLLECTOR
KANYAKUMARI DISTRICT, AT NAGERCOIL.

5 THE DIRECTOR
VIGILANCE AND ANTI-CORRUPTION WING,
MKN SALAI, ALANDUR, CHENNAI 016.

6 THE DEPUTY SUPERINTENDENT
VIGILANCE AND ANTI-CORRUPTION WING,
PUNNAI NAGAR, NAGERCOIL 629 004,
KANYAKUMARI DISTRICT.



7 THE COMMISSIONER
KOLLEMCODE MUNICIPALITY,
KOLLEMCODE POST 629 160,
KANYAKUMARI DISTRICT.

8 THE MUNICIPALITY ENGINEER
KOLLEMCODE MUNICIPALITY,
KOLLEMCODE POST 629 160,
KANYAKUMARI DISTRICT.

... RESPONDENTS 2 TO 8/
RESPONDENTS 1 TO 7/RESPONDENTS 1 TO 7

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to vacate the order of Interim Injunction passed by this Honble Court in WMP (MD) No.6885 of 2023 in WP (MD) No.7321/2023 dated 24.04.2023 and thus render justice.

Prayer in WP(MD). 7321/ 2023 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents, 1 to 3 from converting the agricultural property bearing Resurvey Nos. 661/6, 661/8, 661/9, 661/10, 661/11, 662/1, 662/2, 662/17, 662/19 of Kollemcode B Village, Killiyur Taluk, Kanyakumari District for laying a bus stand and to ensure these lands to be continued as an agricultural land consequently direct the respondents 4 and 5 to take action based on the petitioners representation dated 24.03.2023.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of K.P.NARAYANAKUMAR, Advocate for the petitioner and of M/S.S.SIVAKUMAR, Advocate on behalf of the Respondent No.1 and M/S.P.THILAK KUMAR, Government Pleader for the Respondents 2 to 8 the court made the following order:-

(Order of the court was made by The Hon'ble Chief Justice)

We have heard Mr.K.P.Narayanakumar, learned counsel for the applicants and Mr.S.Sivakumar, learned counsel for the first respondent and Mr.P.Thilak Kumar, learned Government Pleader for respondents 2 to 8.

2. The application is filed for vacating the interim order.

3. A Division Bench of this Court on 31.03.2023 to which one of us (R.S.M.J) was a party has given reasons for grant of interim order. The Court was *prima facie* convinced of the hike in price and thereafter has passed the interim order. The interim order is a reasoned order. Without deciding the writ petition, it will not be appropriate to vacate the stay. If the interim orders are vacated, the purpose of writ petition itself stands frustrated.



4. Learned counsel for the respondent Municipality place the documents on the basis of which the decision was arrived at to purchase the property at Rs.1,00,000/- (Rupees One Lakh only) per cent of which, three days prior to transaction was at Rs.60,000/- (Rupees Sixty Thousand only) per cent.

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5. In the light of that, the application is disposed of. Place the writ petition on 26.07.2023.

sd/-

22/06/2023

/ TRUE COPY /

/06/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pkn

TO

- 1 THE PRINCIPAL SECRETARY,
GOVERNMENT OF TAMILNADU
REVENUE DEPARTMENT,
SECRETARIAT,
CHENNAI.
- 2 THE DIRECTOR OF MUNICIPAL ADMINISTRATION,,
75, SANTHOME HIGHWAY,
RAJA ANNAMALAIPURAM,
CHENNAI 028.
- 3 THE DISTRICT COLLECTOR
KANYAKUMARI DISTRICT, AT NAGERCOIL.
- 4 THE DIRECTOR
VIGILANCE AND ANTI-CORRUPTION WING,
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- 5 THE DEPUTY SUPERINTENDENT
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- 6 THE COMMISSIONER
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W.M.P(MD)N



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KOLLEMCODE MUNICIPALITY,
KOLLEMCODE POST 629 160,
KANYAKUMARI DISTRICT.

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ORDER
IN
W.M.P (MD) No.12627 of 2023
in
W.P. (MD) No.7321 of 2023
Date :22/06/2023

RK/CG/SAR- (28/06/2023) 4P/8C