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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.13792 of 2020

P. Saravanakumar

... Petitioner

Vs.

1. The District Collector,
O/o. the District Collectorate,
Sivagangai District,
Sivagangai.
2. The District Revenue Officer,
O/o. the District Revenue Office,
Sivagangai District,
Sivagangai.
3. The Tahsildar,
Thriuppuvanam Taluk Office,
Thriuppuvanam,
Sivagangai District.
4. The Block Development Officer, (Village Panchayat),
Thiruppuvanam Panchayat Union,
Sivagangai District.



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5. The Panchayat President,
Konthagai Village Panchayat,
Thiruppuvanam Taluk,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ Mandamus***, directing the respondents 3 and 4 not to lay the road in the petitioner's landed property comprised in survey No.150/1 measuring an extent of 36 cents situated at Kattamankottai Village, Konthagai Village West Group, Thiruppuvanam Taluk, Sivagangai District by considering his representation, dated 23.09.2020.

For Petitioner : M/s.G.Thiruvarutselvan
S.M.Sanjay

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for ***Writ of Mandamus*** directing the respondents 3 and 4 not to lay the road in the petitioner's landed property in survey No.150/1 measuring an extent of 36 cents situated at Kattamankottai Village, Konthagai Village West Group, Thiruppuvanam Taluk, Sivagangai District by considering his representation, dated 23.09.2020.

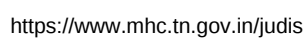


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2. Heard M/s.G.Thiruvartselvan, S.M.Sanjay, the Learned counsel appearing for the petitioner, Mr.B.Saravanan, the Learned Additional Government Pleader appearing for the respondents and perused the material documents available on record.

3. Today, when the matter is taken up for hearing the Learned Additional Government Pleader appearing for the respondents submitted that the road was laid prior to the filing of this writ petition. It is settled proposition of Law, if the respondents are laying road in the private Patta land, then the respondents ought to have acquired the land and lay the road. In the present case, no acquisition proceeding was initiated by the respondents. Since the respondents have taken the private Patta land without acquisition, they are bound to grant compensation for laying road in the Patta land.

4. Accordingly, the respondents are directed to consider the





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Sivagangai.
3. The Tahsildar,
Thriuppuvanam Taluk Office,
Thriuppuvanam,
Sivagangai District.
4. The Block Development Officer, (Village Panchayat),
Thiruppuvanam Panchayat Union,
Sivagangai District.
5. The Panchayat President,
Konthagai Village Panchayat,
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Sivagangai District.



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S.SRIMATHY, J.

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W.P.(MD)No.13792 of 2020

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