



W.P.(MD)No.15545 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.15545 of 2021

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... Petitioner

Vs

- 1.The District Collector,
Office of the District Collector,
Virudhunagar District.
- 2.The District Revenue Officer,
Office of the District Revenue Office,
Virudhunagar District.
- 3.The Tahsildar,
Kariapatti Taluk, Kariapatti,
Virudhunagar District.
- 4.The Zonal Deputy Tahsildar,
Kariapatti Taluk,
Virudhunagar District.
- 5.The Revenue Inspector,
Mudukkankulam, Kariapatti Taluk,
Virudhunagar District.
- 6.The Village Administrative Officer,
M.Iluppaikulam Village,
Mudukkankulam Post, Kariapatti Taluk,
Virudhunagar District.
- 7.Atheeswaran
The President, Veppankulam Panchayat,
Kariapatti Taluk, Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents Nos.4, 5, 6 to execute the order in ந.க.எண்.ஆ2/5595/2020 dated 18.12.2020 passed by the 3rd respondent to them and to direct the respondents Nos.4, 5, 6 and 7 to forbear from disturbing the petitioner's agriculture land in Survey No.8 in the same Village under the guise of land acquisition.

For Petitioner : Mr.V.Santhakumaresan

For R-1 to R-6 : Mr.K.S.Selva Ganesan,
Additional Government Pleader

For R-7 : No Appearance

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing respondent Nos.4 to 6 to consider the representation made by the petitioner and to execute the order passed by the third respondent through proceedings dated 18.12.2020.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing on behalf of respondent Nos. 1 to 6.

3. The case of the petitioner is that the first respondent had identified certain lands in Survey Nos.4/1, 4/1 and 14/9 at M.Iluppaikulam Village, Kariapatti (Taluk) for the purpose of constructing a building to run a Government Higher Secondary School. The intimation was sent to the second



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respondent and the second respondent initiated land acquisition proceedings.

Thereafter, the third respondent issued proceedings dated 18.12.2020 and forwarded the same to respondent Nos.4 to 6 by directing them to initiate proceedings for acquiring the above said lands measuring an extent of 0.44.5 Ares and for changing the classification of the land to Manthai Poramboke.

4. The grievance of the petitioner is that respondent Nos.4 to 6 did not carry out the direction given by the third respondent and they started interfering with the possession and enjoyment of the petitioner with respect to her agricultural lands in Survey No.8 in the same Village under the guise of acquiring the land for school building. It is under these circumstances, the present Writ Petition was filed before this Court.

5. When the matter was taken up for hearing, the learned Additional Government Pleader appearing on behalf of the official respondents based on the written instructions received from the sixth respondent submitted that steps have already been taken to acquire the lands in Survey No.1/1 measuring an extent of 0.45.00 Ares out of 1.80.00 Hectares and also to change the classification of the same to Manthai Poramboke. Already proceedings have been initiated in this regard and files have been sent to the second respondent and the same is pending. It is made clear that there is no proposal to acquire the property belonging to the petitioner in Survey No.8/1. The learned Additional



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Government Pleader submitted that the District Revenue Officer will pass appropriate order as expeditiously as possible.

6. In the light of submissions made by the learned Additional Government Pleader and the written instructions received from the sixth respondent, it is clear that the apprehension raised by the petitioner has been sufficiently answered and there shall be a direction to the second respondent to complete the process of classifying the land in Survey No.1/1 as “Manthai Poramboke” as expeditiously as possible in order to enable the establishment of the Government Higher Secondary School.

7. This Writ Petition is disposed of with the above directions. No costs.

07.11.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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N.ANAND VENKATESH, J.

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