



W.P(MD)No.4475 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2023

CORAM :

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P(MD)No.4475 of 2014
and
M.P(MD)No.2 of 2014

1. Arivazhagan
2. S.Arumugam
3. Renganayaki
4. Kandhan
5. A.Renganathan
6. Rajendran
7. Chinnammal
8. Raju
9. Marimuthu
10. M.Ayyammal
11. Godandaraman
12. S.Kannappan
13. S.Nagalakshmi
14. B.Pachaiyammal

... Petitioners

VS.

1. The Trichy Corporation,
Represented by its Commissioner,
Office of the Corporation Commissioner,
Srirangam,
Trichy.



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2. The District Collector,
O/o. The District Collector,
Trichy.

3. The Tahsildar,
Srirangam Taluk,
Trichy District,
Trichy.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the Respondent No.1 from evicting the petitioners residential homes in Survey No.1513/1 at Ragavendrapuram 1st Street, Srirangam at Ward No.1, Block No.45, Srirangam Taluk, Trichy District and consequently grant patta to the petitioners.

For Petitioner	: Mr.T.Lajapathi Roy, Senior Counsel for M/s.T.Lajapatiroy Associates
For R1	: Mr.R.Baskaran Additional Advocate General
For R2 & R3	: Mr.P.T.Thiraviyam, Government Advocate

ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

The prayer in the writ petition is for issuance of a Writ of Mandamus, forbearing the 1st respondent from evicting the petitioners' residential homes in Survey No.1513/1 at



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Ragavendrapuram 1st Street, Srirangam at Ward No.1, Block No.45, Srirangam Taluk, Trichy District and consequently grant patta to the petitioners.

2. Learned Additional Advocate General appearing for the first respondent has produced the communication of the 2nd respondent addressed to him in Na.Ka.A1/11035/2014 dated 14.02.2023, and submitted that the lands in T.S.No.1531/1, Block 45. Ward A, to an extent of 0.51.32 hectares situated in Vellithirumutham Village, Srirangam Taluk, in respect of which, the petitioners applied for pattas, are classified as road and therefore, the request of the petitioners for grant of pattas is not feasible. However, the petitioners and similarly placed persons can be given alternative accommodation through the TamilNadu Urban Habitat Development Board in the multi-storied building being constructed, if they are otherwise eligible and agreed to the terms and conditions therefor and the said construction of multi-storied building will be completed within a period of six months.



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3. Learned counsel for the petitioners submitted that the petitioners are agreeable for the alternative accommodation and therefore, a direction may be issued to the respondents to provide them alternative accommodation with a further direction to the respondents not to disturb the petitioners' possession till such time.

4. Recording the aforesaid submissions, the Writ Petition is disposed of directing the respondents to provide the petitioners alternative accommodation through the TamilNadu Urban Habitat Development Board in the multi-storied building being constructed, if they are otherwise eligible and agreed to the terms and conditions therefor. Since the aforesaid alternative accommodation are under construction and it is stated to be completed within a period of six months, we direct the respondents not to disturb the petitioners' possession in the present place till they are provided alternative accommodation in the multi-storied building as aforesaid.



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5. With the above direction, the Writ Petition is disposed of.

No costs. Connected miscellaneous petition is closed.

NCC : Yes / No
Index : Yes / No
Internet : Yes
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[D.K.K.,J.] & [L.V.G.,J.]
21.02.2023

To

1. The Commissioner,
Trichy Corporation,
Office of the Corporation Commissioner,
Srirangam,
Trichy.

2. The District Collector,
O/o. The District Collector,
Trichy.

3. The Tahsildar,
Srirangam Taluk,
Trichy District,
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D.KRISHNAKUMAR, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
W.P(MD)No.4475 of 2014
DATED : 21.02.2023