



W.P(MD)No.21436 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21436 of 2015

and

M.P(MD)No.1 of 2015

Pandiselvi

... Petitioner

Vs

1.The District Collector,
Madurai District.

2.The Tahsildar,
Madurai East Taluk,
Madurai.

3.The President,
Idayapatti Village,
Madurai East Taluk,
Madurai District.

4.Krishna Sivasi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from damaging and demolishing petitioner's property in old natham survey no. 205/4 new survey No. 54/3, Idayapatti Village, Madurai District to the extent of



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0.01.040 by considering and disposing of the petitioner's representation dated 26.11.2015 within stipulate time as may be fixed by this Court.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.D.Gandhiraj
Special Government Pleader
for R.1 & R.2

Mr.M.Rajarajan for R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the official respondents.

2. The case of the petitioner is that community hall is proposed to be established in his village and the authorities are holding out that the petition mentioned lands will also be included while constructing the community hall. That led to the filing of this writ petition.

3. The learned counsel appearing for the petitioner drew my attention to the rough patta standing in the name of the petitioner.

4. The learned Special Government Pleader appearing for the official respondents would submit that there is no proposal to acquire the petitioner's



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patta land and if the fourth respondent is doing something in his personal capacity, the Department cannot take responsibility for the same.

5. I endorse the stand of the learned Special Government Pleader. Recording the stand of the respondents 1 to 3 that the petitioner's patta land will not be taken over except by due process of law, this writ petition is disposed of. It is for the petitioner to move the jurisdictional civil Court for relief against the fourth respondent. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

28.07.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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G.R.SWAMINATHAN, J.

MGA

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