



W.P. (MD).No.21418 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 01.12.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.21418 of 2021

T.G.Suresh Babu

... Petitioner

Vs

1. The Principal Secretary,
Water Supply and Sewerage Board Department,
Tamil Nadu Government,
Secretariat, Chennai.
2. The Principal Secretary,
High Ways and Minor Ports Department,
Tamil Nadu Government, Secretariat,
Chennai.
3. The District Collector,
Collectorate, Madurai District.
4. The Divisional Engineer,
Highways Department, No.11, LDC Road,
Chinna Chokkikulam, Madurai.
5. The Divisional Engineer,
National Highways Department,
Madurai Region, Madurai.
6. The Commissioner,
Corporation Office, Anna Maligai,
Madurai.



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7. The Chief Project Officer,
Smart City Project, Corporation Office,
Anna Maligai, Madurai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ Mandamus, direct the Respondents to give adequate compensation to the petitioner for laying Thar Road in his land in Survey No.278/4 presently in UDR Survey No.130/4A to an extent of 3 cents and Survey No. 278/1 presently in UDR Survey No. 130/1 to an extent of 9 cents which is situated at Vandiyoor, Theppakulam, Madurai District based on the representation of the petitioner, dated 30.09.2021 within a time frame as fixed by this Honble Court.

For Petitioner : Mr. R. Babu Jaganath

For Respondents : Mr.R.Ragavendran(R1 to R5)
Government Advocate

Mr.K.Sivakumar (R6,R7)
Government Advocate(Crl.Side)

ORDER

This writ petition has been filed for the issue of a writ of mandamus, directing the respondents to pay final compensation to the petitioner for laying a road in the subject property belonging to the petitioner, based on the representation of the petitioner, dated 30.09.2021.



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2. When the matter was came up for hearing on 03.12.2021, this

Court has passed the following order:

“Mr.J.John Rajadurai, learned Government Advocate, takes notice for the respondents 1 to 5 and Mr.Athimoolapandian, learned Standing Counsel, takes notice for the 6th respondent.

2. Issue notice to the respondent No.7, through Court and also privately, returnable by 10.01.2022.

3. Mr.J.John Rajadurai, learned Government Advocate, drew the notice of this Court to an order in W.P. (MD)No.6797 of 2020 and also stated that in similar issues, the patta of those petitioners have been cancelled, since, the lands actually, have merged with the Vaigai River. Petitioner's lands are also similarly placed. A direction is also given to the third respondent / the District Collector, Madurai District to examine the lands of the petitioner. If it has merged with Vaigai River, the third respondent to examine how patta had been granted and take a decision with respect to that.

4. The learned counsel for the petitioner stated that a Thar Road has been laid in his lands and he seeks compensation.

5. The petitioner may also examine the maintainability of the writ petition before this Court. Call on 10.01.2022.”



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2. When the matter came up for hearing today, the learned Government Advocate appearing on behalf of the respondents 1 to 5 submitted that a similar request was made by two other persons pertaining to the very same survey number and the same was dealt with by the District Collector. Therefore, the learned Government Advocate submitted that the representation made by the petitioner will be considered by the third respondent, viz., District Collector, Madurai and orders will be passed within the time frame fixed by this Court.

3. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate, there shall be a direction to the petitioner to submit a fresh representation to the third respondent, viz., District Collector, Madurai along with all the relevant documents. On receipt of the same, the third respondent shall deal with the same on its own merits and in accordance with law and orders shall be passed within a period of three months from the date of receipt of the fresh representation from the petitioner.



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4. Accordingly, this writ petition stands disposed of with the

above terms. No costs.

01.12.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
PNM

To

1. The Principal Secretary,
Water Supply and Sewerage Board Department,
Tamil Nadu Government, Secretariat, Chennai.
2. The Principal Secretary,
High Ways and Minor Ports Department,
Tamil Nadu Government, Secretariat, Chennai.
3. The District Collector,
Collectorate, Madurai District.
4. The Divisional Engineer,
Highways Department, No.11, LDC Road,
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5. The Divisional Engineer,
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6. The Commissioner,
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7. The Chief Project Officer,
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Anna Maligai, Madurai.



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N.ANAND VENKATESH, J.

PNM

**ORDER IN
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01.12.2023