

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.04.2023

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P.(MD)No.18335 of 2016

M.K.Gopal

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep.by its Principal Secretary,
Municipal Administration and
Water Supply Department,
Secretariat, Chennai.
- 2.The District Collector,
Madurai District,
Madurai.
- 3.The Commissioner,
Madurai Corporation,
Madurai.
- 4.The Assistant Director of Town Panchayats,
Madurai Region, Collectorate,
Madurai-625 020.
- 5.The Executive Officer,
Tirunagar Town Panchayat,
Tirunagar,
Madurai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to pay just and adequate compensation in accordance with law for the deprivation of his property in an extent of 4 cents of land comprising in S.No.98/3 of Tirunagar Village, Tirupparankundram Taluk, Madurai District, by considering his representation dated 18.04.2016 sent to the third respondent within a specific time frame as fixed by this Court.

For Petitioner :Mr.W.Pamelin

For Respondents :Mr.M.Sarangan
Additional Government Pleader
for RR1, 2, 4 and 5
Mr.S.Vinayak for R3

ORDER

The petitioner seeks a direction in relation to the payment of compensation to the petitioner for acquisition of four cents of land in Survey No.98/3 of Tirunagar Village, Tirupparankundram Taluk, Madurai District.

2. According to the petitioner, he owns a plot ad measuring four cents in Survey No.98/3. After discovering that a road was laid over the petitioner's land, the petitioner submitted representations, including a representation dated 18.04.2016. Since the said representations did not elicit an appropriate response, the present writ petition is filed.

3. Learned Additional Government Pleader for the respondents 1 and 2 submits that Survey No.98/3 was sub-divided and in the absence of relevant documents, it is not possible to identify the portion over which the petitioner claims title. He further submits that Tirunagar Town Panchayat was merged with Madurai Corporation by G.O.Ms.No.220, Municipal Administration and Water Supply Department, dated 28.09.2010.

4. Learned Standing Counsel for the third respondent submits that the petitioner has not produced any documents to substantiate the claim. Nevertheless, he states that the representation would be considered and disposed of on merits by the third and fourth respondents.

5. In view of the submissions of learned Additional Government Pleader for the respondents 1 and 2 and learned Standing Counsel for the third respondent, W.P(MD).No.18335 of 2016 is disposed of by directing the third respondent to consider the petitioner's representation dated 18.04.2016 and dispose of the same on merits, after providing a reasonable opportunity to the petitioner and any other interested parties. A reasoned order shall be issued in such regard. For such purpose, if required, the third respondent may call for necessary particulars from the second and fourth respondents. There shall be no order as to costs.

05.04.2023

NCC :No
Internet :Yes
Index :No
ssb

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SENTHILKUMAR RAMAMOORTHY, J.

ssb

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