



W.P(MD)No.29826 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29826 of 2023

The Tanjore Gujarathi Association,
No.1921, West Main Street,
Thanjavur – 613009,
(Reg.No.11/1959),
Through its present Secretary.

... Petitioner

Vs.

1.The Secretary to Government

Municipal Administration and Water Supply Department,
St. Fort George,
Secretariat,
Chennai.

2.The District Collector,

Office of the District Collector,
Thanjavur.



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3.The Corporation Commissioner,
Thanjavur Municipal Corporation Office,
Gandhiji Road,
Thanjavur.

4.The Divisional Engineer,
Office of the Divisional Engineer,
Highways Department,
Panagal Building,
Thanjavur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 2 to 4 to retrieve and restore and restore the possession of the property in T.S.No.1603/2, Karandhai Village, Thanjavur, measuring an extent of 0.5.11.0 hectares (5,500 square feet) to the petitioners association and further directing the respondents to pay a sum of Rs.10,00,000/- (Rupees Ten lakhs only) as compensation towards the damage caused to the petitioner association in view of the illegal act committed by the respondents 3 and 4.



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For Petitioner : Mr.M.P.Senthil

For Respondents: Mr.M.Prakash – for R1, R2 & R4

Additional Government Pleader

Mr.N.Dilip Kumar – for R3

ORDER

Heard the learned counsel appearing on either side

2. It is beyond dispute that the petition mentioned land belongs to the petitioner-association. It appears that steps were taken for acquiring the land. The petitioner's counsel would state that shops standing on the land were demolished.

3. Be that as it may, the respondents will have to take a call within a period of 12 weeks from the date of receipt of a copy of this order. Within this period, the respondents will have to take a decision one way or other. If they want the land, they will have to



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pay appropriate compensation to the petitioner. If they do not want the land, the land has to be formally returned to the petitioner. Appropriate proceedings to this effect will be issued by the Corporation as well as the second respondent.

4. The Writ petition disposed of accordingly. No costs.

15.12.2023

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

RM



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G.R.SWAMINATHAN, J.

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