



W.P(MD)No.1642 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 02.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1642 of 2024
and
W.M.P(MD)No.1677 of 2024

K.Sathaiah

... Petitioner

Vs.

- 1.The District Collector,
Ramnad District,
Ramnad.
- 2.The Revenue Divisional Officer,
Paramakudi.
- 3.The Tahsildar,
TAHDCO,
Ramnad District,
Ramnad.
- 4.The Block Development Officer,
Muthukulathur,
Ramnad District.

... Respondents



W.P(MD)No.1642 of 2024

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, restraining the respondents their men or agents from proceeding with any road laying activity, or any other work or handing over the possession of the land to any third party in S.No.128/1A and 1B at Kelakodunbalur Group, Shanmuganathapuram Village, Muthukulathur Taluk, Ramnad District.

For Petitioner : Mr.K.Porkodi Karnan
for M/s.Polax Legal Solutions

For Respondents : Mr.D.Sasikumar
Additional Government Pleader

ORDER

Heard both sides.

2.This writ petition was filed for forbearing the respondents from laying any road across the petitioner's patta land. This writ petition was filed in January 2024. We are now in April 2024.

3.The learned counsel appearing for the petitioner states that the road has already been laid. The respondents seem to take the stand that the road has skirted the petitioner's patta land. The petitioner asserts that



W.P(MD)No.1642 of 2024

road was laid on his land. This issue can be resolved only if proper survey is conducted in the presence of the writ petitioner.

4.I direct the second respondent to cause survey to be conducted. This shall be done on **22.04.2024 from 09.00 a.m** onwards. The petitioner shall be present. Survey shall be conducted under the supervision of the District Surveyor. Survey sketch and survey report will be prepared at the end of the survey exercise and served on the petitioner also. If the survey report indicates that the road has been laid on the petitioner's patta land, then it is the duty of the first respondent to pay appropriate compensation as per law to the petitioner herein. An enquiry will be conducted and order determining the compensation payable to the petitioner will be passed within a period of eight weeks thereafter. If according to the survey, road was not laid on the petitioner's patta land, a speaking order enclosing the survey sketch and report will be passed and served on the petitioner immediately so that the petitioner can move this Court for appropriate relief.



W.P(MD)No.1642 of 2024

5.This writ petition is disposed of on these terms. I make it clear that I have not gone into the merits of the matter. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.04.2024

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

Note: Issue order copy on 04.04.2024.

To

- 1.The District Collector,
Ramnad District,
Ramnad.
- 2.The Revenue Divisional Officer,
Paramakudi.
- 3.The Tahsildar,
TAHDCO,
Ramnad District,
Ramnad.
- 4.The Block Development Officer,
Muthukulathur,
Ramnad District.



WEB COPY



W.P(MD)No.1642 of 2024

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.1642 of 2024

02.04.2024