



W.P.(MD)No.3706 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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Sivakumar

: Petitioner

Vs.

1.The District Collector,
District Collector Office,
Madurai District.

2.The Tahsildar,
Vadipatti Taluk,
Madurai District.

3.The Special Tahsildar,
Adi Dravidar Welfare Office,
District Collector Office Campus,
Madurai District.

4.The Block Development Officer (Village Panchayat),
Block Development Office,
Alanganallur,
Madurai District.



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5.Sundaresan

: Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 4 to acquire the land property with an extent of 3 cents which is situated in Survey Nos.56/7, 56/8A1 and 56/9A1 or any other neighbor land property at Kallanai Village, Vadipatti Taluk, Madurai District for laying public pathway Gandhigramam Puthu Colony between Alanganallur Main Road by considering the representation dated 16.12.2023 and 19.12.2023 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi

For Respondents 1 to 4 : Mr.P.Thilak Kumar
Government Pleader

O R D E R

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The present Writ Petition has been filed by the petitioner seeking for a direction to the respondents 1 to 4 to acquire the land property with an extent of 3 cents which is situated in Survey Nos.56/7, 56/8A1 and 56/9A1 or any other neighbour land property at Kallanai Village, Vadipatti Taluk, Madurai District for laying public pathway Gandhigramam Puthu Colony between Alanganallur



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Main Road by considering the representations of the petitioner dated 16.12.2023 and 19.12.2023.

2. Heard Mr.R.Karunanidhi, learned Counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader who accepts notice for the respondents 1 to 4.

3. According to the petitioner, he is residing in Gandhigramam Puthu Colony, Kallanai Village, Vadipatti Taluk, Madurai District and there are more than 450 families in the said colony. It is stated by the petitioner that there is a pathway situated in Survey No.56/8A1, 56/9A1 to reach Vadipatti – Alanganallur Road from Gandhigramam Puthu Colony and the same is used by the said colony people for the past 40 years. It is admitted that the said pathway belongs to one Sundareswaran, who is the fifth respondent herein and he has now closed the said pathway with temporary sheets. Hence, the petitioner along with other villagers sent representations to the respondents dated 16.12.2023 and 19.12.2023, to acquire the said land in Survey Nos. 56/7, 56/8A1 and 56/9A1, measuring an extent of 3 cents for laying a public pathway.



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4.We are of the view that the aforesaid representation of the respondent seeking to acquire a land for providing pathway are all to be considered under the provisions of the Tamil Nadu Acquisition of land for Harijan Welfare Schemes Act, 1978. This Court cannot pass any positive direction to the respondents for considering the said request of the petitioner. Since it involves an administrative decision by the authorities concerned, this Court directs the first respondent to consider the representations of the petitioner dated 16.12.2023 and 19.12.2023 by following the procedures as contemplated under the law, as expeditiously as possible. If any other alternate lands are available, the same shall also be considered by the authorities.

5.With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

[D.K.K.J.] & [R.V.,J.]

19.02.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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