



W.P(MD)No.12405 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12405 of 2024

and

W.M.P(MD)No.10987 of 2024

- 1.G.Ramalakshmi
- 2.S.Maduraiveeran
- 3.M.Meenakshi
- 4.Malarkodi
- 5.Arumugathammal
- 6.S.Vijayakumar
- 7.V.Meenakshi
- 8.Sarasu
- 9.M.Revathy
- 10.J.Suganya
- 11.G.Saravanan
- 12.Palaniammal
- 13.Sumathy
- 14.Irulayi



W.P(MD)No.12405 of 2024

15.E.Soundhararajan

16.R.Anandhan

17.Rukmani

18.K.Vanniyaperumal

19.M.Pathumuthu

20.Malliga

21.Velmurugan

22.Muthumari

23.Athishta Revathy

24.Pandiammal

25.Amirthavalli

26.Kalidhas

27.Muthukumar

28.Kavitha

29.Pandi Revathy

30.S.Chellachamy

31.M.Muthumeenakshi

32.L.Pandiammal

33.Hemalatha

34.Sundhari



W.P(MD)No.12405 of 2024

35.Mariammal

36.C.Indhra

37.Mariam Beevi

38.Hussain Banu

39.C.Kalaiselvi

... Petitioners

Vs.

1.The Secretary to Government,
Revenue Department,
Secretariat,
Chennai.

2.The Commissioner of Land Administration,
Chennai.

3.The District Collector,
Madurai District, Madurai.

4.The Superintending Engineer,
Highways Department,
Madurai.

5.The Dhiwan Cum Administrative Secretary,
Ramanathapuram Samasthanam Devasthanam,
Ramanathapuram – 623 501.

6.The Commissioner,
Madurai Corporation,
Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to take



W.P(MD)No.12405 of 2024

necessary steps to award adequate compensation to the petitioners before the eviction process and allot the alternate land by granting assignment patta in the name of the petitioners by considering the petitioners' representation dated 27.11.2023.

For Petitioners : Mr.G.R.Satish

For Respondents : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.D.Sasi Kumar
Additional Government Pleader
for R.1 to R.4

Mr.K.Sivabalan for R.6

ORDER

Heard both sides.

2.The petitioners are tenants in occupation of the petition mentioned sites. They belong to lower strata of the Society. Since Highways Department proposes to construct over-bridge, the houses in which the petitioners are presently residing face the prospect of demolition. That led to the filing of this writ petition.

3.As rightly pointed out by the learned Additional Advocate General, there may not be any scope for interfering in the matter. The



W.P(MD)No.12405 of 2024

acquisition proceedings have already concluded. Final award has also been passed. Compensation amount has also been remitted in the revenue deposit. I can grant only two reliefs in favour of the petitioners.

a) The petitioners are given breathing time of 45 days.

In other words, they shall not be evicted before the expiry of 45 days from today. It is open to the authorities to evict the petitioners without notice after the breathing time is over.

b) It is seen that the petitioners are given individual representations seeking alternative accommodation. It is open to the third respondent to consider the cases of the individual applicants and pass appropriate order. I make it clear I am not issuing any positive direction to the third respondent.

4.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

13.06.2024

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



WEB COPY



W.P(MD)No.12405 of 2024

G.R.SWAMINATHAN,J.

MGA

To

- 1.The Secretary to Government,
Revenue Department,
Secretariat,
Chennai.
- 2.The Commissioner of Land Administration,
Chennai.
- 3.The District Collector,
Madurai District,
Madurai.
- 4.The Superintending Engineer,
Highways Department,
Madurai.

W.P(MD)No.12405 of 2024
and
W.M.P(MD)No.10987 of 2024

13.06.2024