



W.P(MD)No.18126 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18126 of 2024

P.Selvaraj

... Petitioner

Vs.

- 1.The District Collector,
O/o. the District Collectorate,
Dindigul District.
- 2.The Assistant Director (Panchayats),
Assistant Director Panchayats Office,
Dindigul District.
- 3.The Block Development Officer,
Nilakkottai Block Development Office,
Nilakkottai Taluk, Dindigul District.
- 4.The Tahsildar,
Nilakkottai Taluk,
Dindigul District.
- 5.Gullalagundu Panchayat,
Represented by its President,
Gullalagundu,
Nilakkottai Taluk,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from dispossessing the Sandlarpuram Church, Gullalagundu Village,



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Standlarpuram, Dindigul District from the land to an extent of 35.90 cents comprised in S. No.323/31, 33 and 34, Old S. No.189/Pa, Gullalagundu Village, Standlarpuram, Nilakottai Taluk, Dindigul District by constructing an overhead water tank or by any other manner without acquiring the land under the provisions of the Right of Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or in any other law for the time being in force.

For Petitioner : Ms.H.Jasima Yasmin,
For M/s.Ajmal Associates.

For Respondents : Mr.P.Thambidurai,
Government Advocate for R1, R2 & R4.
Mr.J.Ashok,
Addl. Government Pleader for R3 & R5.

ORDER

Heard both sides.

2.The petitioner alleges that the respondents are proposing to install a water tank under Jal Jeevan Mission scheme on a church land.

3.The learned counsel for the petitioner draws my attention to the communication dated 21.06.2024 sent by the jurisdictional Block Development Officer to the Tahsildar, Nilakottai. It has been requested that survey should be conducted without delay to find out, if the site on which the water tank is to be located is a church land or a government poramboke land.



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4. Without conducting survey, water tank should not be installed. I, therefore, direct the fourth respondent to conduct survey on 09.08.2024 from 09.00 am onwards. The petitioner will not be given any separate notice. Once the survey is conducted, copy of the survey sketch as well as survey report shall be served on the petitioner. Based on the survey results, which is of-course subject to challenge by the petitioner, the respondents can install the petition mentioned water tank under Jal Jeevan Mission scheme.

5. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

01.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

1. The District Collector,
O/o. the District Collectorate,
Dindigul District.
2. The Assistant Director (Panchayats),
Assistant Director Panchayats Office,
Dindigul District.



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G.R.SWAMINATHAN, J.

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3.The Block Development Officer,
Nilakkottai Block Development Office,
Nilakkottai Taluk, Dindigul District.

4.The Tahsildar,
Nilakkottai Taluk,
Dindigul District.

5.The President,
Gullalagundu Panchayat,
Gullalagundu,
Nilakkottai Taluk,
Dindigul District.

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