



W.P.(MD) No.3662 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.3662 of 2018
and
W.M.P.(MD)Nos.3783 & 3784 of 2018

M.Mala

... Petitioner

Vs.

1. The District Collector,
Trichy.

2.The Commissioner,
Trichy Corporation,
Trichy.

3.The Tahsildar,
Trichy West,
Tahsildar Office,
Trichy-1.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to stop the construction of building in the name of “நுண்ணாயிரி செயல்பாட்டு மையம்” in the agricultural lands of the petitioner to an extent of 42 cents comprised in Survey No.108/2E1, Puthur Village, Trichy District by considering the petitioner’s representation dated

1/5



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WEB COPY 06.02.2018.

For petitioner : Mr.K.Sivabalan

For respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 & R3
Mr.Kishore Ram
Standing Counsel for R2

ORDER

Heard the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 and 3 and learned Standing Counsel for the second respondent.

2. This Writ Petition has been filed for the following relief:

“to direct the respondents to stop the construction of building in the name of “நுண்ணாயிரி செயல்பாட்டு மையம்” in the agricultural lands of the petitioner to an extent of 42 cents comprised in Survey No.108/2E1, Puthur Village, Trichy District by considering the petitioner’s representation dated 06.02.2018.”

3. The learned counsel for the petitioner fairly concedes that is nothing survives in this Writ Petition in the light of the subsequent order passed by this Court in W.P.(MD)No.11798 of 2024 filed by the petitioner, which was disposed



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WEB COPY of on 14.06.2024.

4. Such Writ Petition was filed for the following relief:

“Directing the respondents herein not to start Garbage sorting plant on the petitioner’s property situated at Trichy District, Trichy Town, Puthur, Kallangadu T.S.No.108/1, New T.S.No.108/2E1 admeasuring 0.42 cents without any land acquisition proceedings in the light of the petitioner’s representation dated 16.04.2021.”

5. The said Writ Petition was disposed of with the following observation:

“When the matter was taken up for hearing, the learned Additional Advocate General appearing for the Trichy City Corporation pointed out that the earliest revenue record indicate that survey No.108/2 was classified as grave yard, burial ground, cart tract, channel and threshing floor. The petitioner may have to work out her rights only before the jurisdictional civil court. This Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.”

The present Writ Petition is also pertaining to the same property. In view of the same, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
apd

20.06.2024



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To

1. The District Collector,
Trichy.

2.The Tahsildar,
Trichy West,
Tahsildar Office,
Trichy-1.



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C.SARAVANAN, J.

apd

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