



WMP(MD). No.18045 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Thursday, the Nineteenth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

AND

The Hon`ble Mr.Justice B.PUGALENDHI

WMP(MD). No.18045 of 2024

in

WP(MD)No.21497 of 2023

Kalasalingam and Anandammammal Charities

A Registered Trust (Having No.60/1983)

Represented by Trustee Having

Office at Anand Nagar Krishnankovil

Watrap Taluk Virudhunagar District,

Through its President.

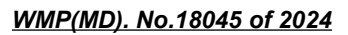
... Petitioner/Petitioner

Vs

1 The Additional Chief Secretary to Government
Revenue and Disaster Management Department,
Secretariat
Chennai - 9.

2 The District Collector
Virudhunagar District,
Virudhunagar.

3 The District Revenue Officer
Virudhunagar,
Virudhunagar District.



... Respondents/ Respondents

Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to pass orders granting Extension of Time for compliance of orders of this Honble Court passed in the Writ petition in W.P.(MD) No. 21497 of 2023 dated 14.03.2024.

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling the records relating to the proceedings of the 2nd respondent made in Na.Ka. No.G2/22785/2017-2 dated 07.06.2021 and the consequential proceedings of the 1st respondent made in G.O.Ms. No.434 (Revenue and Disaster Management Department - Land Disposal Unit, Land Disposal 6(2) Section) dated 14.08.2023 and quash the same and consequently direct the respondent to consider the petitioners request for exchange of land.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. G. Sankaran, Senior counsel for Mr. J. Jayamalan, Advocate for the Petitioner and of Mr. K. Balasubramani, Special Government Pleader for the respondents, this Court made the following order:



WMP(MD). No.18045 of 2024

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" Heard the learned Senior counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

2. It is beyond dispute that the petitioner had put up a construction in a water-body. The petitioner seeks time till 31.05.2025 for compliance. We called upon the petitioner to file an undertaking affidavit. Today the undertaking affidavit has been filed. Paragraph No.5 of the said undertaking affidavit reads as follows:-

"I humbly submit that in this regard, it is hereby undertaken to comply with the directions of this Court passed in W.P.(MD)No.21497 of 2023 dated 14.03.2024 for removal of the building constructed within the land comprised in S.No.582/1, Kunnur Village, Watrap Taluk within the extended time upto 31.05.2025, in the above facts and circumstances.

For the foregoing reasons, it is humbly prayed that this Hon'ble Court may be pleased to pass appropriate orders in W.M.P.(MD)No.18045 of 2024 in W.P.(MD)No.21497 of 2023 dated 14.03.2024 based on the affidavit of undertaking as stated above, and thus render justice."

3. Recording the said undertaking affidavit, we grant time for compliance up to 31.05.2025. We make it clear that under no circumstances request for further extension of time will be entertained. If the petitioner fails to adhere to the said



WMP(MD). No.18045 of 2024

undertaking affidavit given before us, severe consequences including the proceeding for contempt will be initiated. This petition stands allowed accordingly."

Sd/-

Assistant Registrar (C.S.III)

// True Copy //

/10/2024

Sub Assistant Registrar
(CS - I, II, III, IV)

PMU

TO

1. The Additional Chief Secretary to Government
Revenue and Disaster Management Department,
Secretariat
Chennai - 9.
2. The District Collector
Virudhunagar District,
Virudhunagar.
3. The District Revenue Officer
Virudhunagar,
Virudhunagar District.
4. The Tahsildar
Watrap,
Virudhunagar District.



WMP(MD). No.18045 of 2024

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The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai

+ 1.c.c. To Govt. Pleader SR.No.53017.

ORDER DATED : 19/09/2024

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ORDER
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WMP(MD). No.18045 of 2024
in
WP(MD)No.21497 of 2023

Giving direction and etc.
as stated within.

SL(07.10.2024)/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.