



W.P.(MD) No.23390 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.23390 of 2024

and

W.M.P(MD)No.19792 of 2024

Kursheed Sharfudeen

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Highways Department,
Fort St.George, Chennai.
- 2.The District Collector,
O/o the District Collector,
Pudukottai District.
- 3.The Superintending Engineer,
Highways Department,
No.888, T.V.S.Toll Gate,
Subramaniyapuram,
Trichy-620 020.
- 4.The Executive Engineer,
Highways Department,
Kalyanaramapuram,
Thirukokaram,
Pudukottai District.



W.P.(MD) No.23390 of 2024

5.The Assistant Engineer,
Highways Department,
Alangudi Division,
Kalyanaramapuram,
Thirukokaram,
Pudukottai District.

6.The Revenue Divisional Officer,
Pudukottai Taluk,
Pudukottai District.

7.The Tahsildar,
Pudukottai Taluk,
Pudukottai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, forbearing the respondents from expanding the State Highways Road (SH-71) into the Patta land of the petitioner comprised in S.No.152/4B2A, Alangudi Road, Ashok Nagar, Pudukottai district without acquiring the same in the manner provided under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or under any other law for the time being in force.

For Petitioner : Mr.H.Jasima Yasmin
for M/s.Ajmal Associates

For Respondents : Mr.B.Saravanan
Additional Government Pleader



W.P.(MD) No.23390 of 2024

WEB COPY

ORDER

The present writ petition has been filed seeking a mandamus forbearing the respondents from expanding the State Highways Road (SH-71) into the Patta land of the petitioner comprised in S.No. 152/4B2A, Alangudi Road, Ashok Nagar, Pudukottai district without acquiring the same in the manner provided under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or under any other law for the time being in force.

2. On instructions, the learned Additional Government Pleader submits that there is no proposal to expand the road and it is only a proposal to lay a drainage channel and even that would be commenced only after surveying the petitioner's land, demarcating the boundaries and thereafter, putting up the drainage channel beyond this boundary.



W.P.(MD) No.23390 of 2024

WEB COPY

3. The learned counsel for the petitioner would submit that without notice, on 21.09.2024 at 12.00 p.m, a portion of the compound wall of the petitioner's property which is a petrol bunk has been demolished. It is made clear that from the survey of the land, if it is found that the compound wall which has been demolished comes within the property of a petitioner, then the respondents shall repair and construct the demolished / damaged portion at their cost. The respondents have also assured the Court that no activity would be undertaken till the survey is conducted.

4. Recording the above, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

01.10.2024

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

gbg



W.P.(MD) No.23390 of 2024

WEB COPY

To

1. The Secretary,
Highways Department,
Fort St.George, Chennai.
2. The District Collector,
O/o the District Collector,
Pudukottai District.
3. The Superintending Engineer,
Highways Department,
No.888, T.V.S.Toll Gate,
Subramaniyapuram,
Trichy-620 020.
4. The Executive Engineer,
Highways Department,
Kalyanaramapuram,
Thirukokaram,
Pudukottai District.
5. The Assistant Engineer,
Highways Department,
Alangudi Division,
Kalyanaramapuram,
Thirukokaram,
Pudukottai District.
6. The Revenue Divisional Officer,
Pudukottai Taluk,
Pudukottai District.
7. The Tahsildar,
Pudukottai Taluk,
Pudukottai District.



WEB COPY



W.P.(MD) No.23390 of 2024

P.T.ASHA, J.

gbg

W.P.(MD) No.23390 of 2024

01.10.2024