



CMP(MD) No.15097 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twenty Fourth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN
and
The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CMP(MD) No.15097 of 2024
IN
WA(MD) No.45 of 2016

THE TAMILNADU HOSUING BOARD
REPRESENTED BY ITS EXECUTIVE ENGINEER CUM
ADMINISTRATIVE OFFICER, MADURAI DIVISION,
ELLIS NAGAR,
MADURAI - 625 010.

... Petitioner / Respondent / Appellant

Vs

1 K.ARUMUGAM

2 K.PALANIVEL,

3 K.KANNAN,

4 THE STATE OF TAMILNADU,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
HOUSING AND URBAN DEVELOPMENT DEPARTMENT,
FORT ST.GEORGE, CHENNAI - 600 009.

5 THE SPECIAL TAHSILDAR,
(LAND ACQUISITION), ELLIS NAGAR SCHEME,
MADURAI.

... Respondents/ Respondents/ Respondents



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Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Set aside the order dated 03-10-2024 in CMP (MD).No.11919/2024 in W.A.(MD).No.45/2016 for deficit in payment of Batta and may be pleased to order to Restore on file and thus render justice

Prayer in CMP(MD). 11919/ 2024 :

To condone the delay of 1017 days in filing the Restoration Petition and thus render justice.

Prayer in WA(MD). 45/ 2016 :

To set aside the dated 11.08.2011 made in W.P.(MD)No.8291 of 2007 on the file of this Hon'ble Court and thereby allow this appeal.

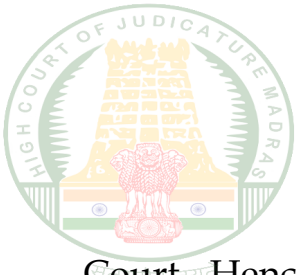
Prayer in WP(MD). 8291/ 2007 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records from the first respondent relating to the impugned notification under section 4(1) of the land Acquisition Act, 1894 in G.O.Ms.No. 518 Housing and Urban Development Department dated 16/03/1979, published in the Tamilnadu Government Gazette dated 04/04/1979 and quash the same and thereby forbearing the respondents from dealing with the property of the petitioner in Re-survey Number 217, /4C in Palanganatham Hamlet, madakulam village, madurai south taluk, Madurai district.

ORDER : This Civil Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.KANNAN, Advocate for the petitioner, the Court made the following order:-

This petition has been filed to set aside the order dated 03.10.2024 passed in C.M.P(MD)No.11919 of 2024 in W.A(MD)No.45 of 2016.

2. This Court has passed a conditional order in C.M.P(MD)No.11919 of 2024 on 02.09.2024. The petitioner failed to comply the said condition stipulated by this



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Court. Hence, the said petition was dismissed on 03.10.2024. Now, the learned counsel for the petitioner has come out with this petition to restore the above said petition and also submitted that he has paid batta.

3. Recording the said submission, this petition is allowed and the C.M.P(MD) No.11919 of 2024 is restored to file.

4. Registry is directed to verify if batta is paid and list the condone delay petition filed in C.M.P(MD)No.11919 of 2024 in W.A(MD)No.45 of 2016 on 05.11.2024.

sd/-
24/10/2024

/ TRUE COPY /

/ 11 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PJL

TO

1 THE SECRETARY TO GOVERNMENT,
HOUSING AND URBAN DEVELOPMENT DEPARTMENT,
FORT ST.GEORGE, CHENNAI - 600 009.

2 THE SPECIAL TAHSILDAR,
(LAND ACQUISITION), ELLIS NAGAR SCHEME,
MADURAI.



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3. THE EXECUTIVE ENGINEER CUM ADMINISTRATIVE OFFICER,
MADURAI DIVISION, ELLIS NAGAR, MADURAI - 625 010.

COPY TO:

THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.15097 of 2024
IN
WA(MD) No.45 of 2016
Date :24/10/2024

PSP/ SS /SAR /12.11.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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