



W.P.(MD) No.3185 of 2022

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

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DATED: 11.07.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD) No.3185 of 2022
and W.M.P.(MD)No.2771 of 2022

Thirumurugan

... Petitioner

Vs

1. The District Collector,
Theni District,
Theni.
2. The District Revenue Officer,
Theni District,
Theni.
3. The Project Director,
District Rural and Deployment,
District Collectorate,
Theni District.
4. The Executive Engineer,
Public Works Department,
Theni,
Theni District.
5. The Block Development Officer,
Periyakulam, Theni District.
6. The Tahsildar,
Periyakulam Taluk Office,
Periyakulam,
Theni District.



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7. The Panchayat President,
Gullapuram Panchayat,
Periyakulam Taluk,
Theni District.

8. The Superintending Engineer,
State Highways,
Theni District, Theni.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to forbear the respondents from doing renovation works in the road, running into the petitioner's land in Survey Nos.1107/1A1 and 1107/1B1, in Gullapuram Village, Periyakulam Taluk, Theni District, until providing compensation to the petitioner for laying the road into the petitioner's above mentioned land by considering the petitioner's representations dated 27.09.2021, 19.11.2021 and 10.02.2022 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.Karthick Kumar

For Respondents : Mr.A.Baskaran,
Addl. Govt. Pleader
for R1 to R4, R6 and R8

Mr.M.Gangatharan,
Govt. Advocate for R5 & R7

ORDER

This Writ Petition is filed seeking Mandamus forbearing the



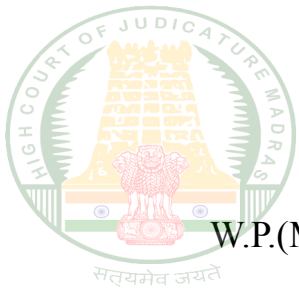
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respondents from doing any renovation work in the road running in his property in Survey Nos.1107/1A1 and 1107/1B1, in Gullapuram Village, Periyakulam Taluk, Theni District, until compensation for the petitioner's land has been paid, by considering the petitioner's representations dated 27.09.2021, 19.11.2021 and 10.02.2022 .

2. Heard the arguments of Mr.A.Karthick Kumar, learned counsel for the petitioner, Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents 1 to 4, 6 and 8 and Mr.M.Gangatharan, learned Government Advocate appearing for the respondents 5 and 7.

3. It is the case of the petitioner that the property situated in the above mentioned survey numbers belongs to him and the patta for the same has been issued in his name in Patta No.4398. It is further stated that in the year 2004, the respondents, without any intimation to the petitioner, formed a road in the above mentioned survey numbers and occupied 20 cents of petitioner's patta land. Though the petitioner made several representations seeking payment of compensation, the same have not been considered. Therefore, the petitioner filed a Writ Petition in



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W.P.(MD)No.16169 of 2021, seeking direction to respondents to pay compensation to the lands occupied by them in the above mentioned survey numbers. The said Writ Petition was disposed of with a direction to the first respondent therein to consider the representation of the petitioner and dispose of the same within a period of three (3) months. Even thereafter, the grievance of the petitioner has not been redressed. However, the respondents have taken steps to renovate and widen the road running through the petitioner's property. Hence, the instant Writ Petition has been filed seeking a direction to the respondents not to carryout any renovation work in the road.

4. The second respondent has filed a counter affidavit stating that there is no proposal for relaying the road. It is further stated that the road was laid long back and the same has been utilised by the general public for over three decades and hence, the request of the petitioner for compensation is not sustainable. However, it is seen from the averments found in the counter affidavit, in spite of direction issued in earlier Writ Petition in W.P.(MD)No.16169 of 2021, the representation of the petitioner has not been considered and till date no order has been passed. In any event, as far as the prayer sought for in the present Writ Petition is



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concerned, the respondents in the counter affidavit categorically stated that there is no proposal to relay the road.

5. Recording the said averment made by the second respondent in the counter affidavit, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

11.07.2025

vsm

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

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Theni District, Theni.
2. The District Revenue Officer,
Theni District, Theni.
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Periyakulam Taluk Office,
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