



W.P.(MD)No.8709 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.8709 of 2019

and

W.M.P(MD)Nos.6774 of 2019 & 20313 of 2023

V.Ramanathan

... Petitioner

Vs.

1.The District Revenue Officer,
Collectorate,
Tiruchirappalli.

2.The State Highways Authority (Tiruchirappalli Division),
Ex Officio the Divisional Engineer (Projects),
TNSRP-II,
Door No.14, Abdul Salam Street,
Kaja Nagar,
Tiruchirappalli.

3.The Tiruchirappalli Municipality,
Represented by the Commissioner,
Bharathidasan Road,
Cantonment, Tiruchirappalli.

4.The District Planning Committee,
Represented by its Secretary,
Tiruchirappalli District,
Collectorate,
Tiruchirappalli.

... Respondents



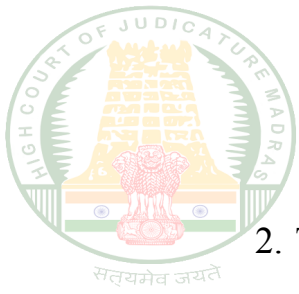
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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Declaration, declaring that the planning and formation of the Service Road, being public streets within the limits of Tiruchirappalli Municipal Corporation limits, ought to be in conformity with the Development Plan under Section 9-A of TN Act XXV of 1981 as made applicable to Tiruchirappalli Municipal Corporation by section 8 of TN Act XXVII and under Article 243-ZD (3) of the Constitution by Section 8 of the Act 27 of 1994 and consequently declare that the proceedings of the of the respondents 2 & 1 under Section 8 & 15 of Tamil Nadu State High Ways Act respectively is ultra vires of Development Plan of Trichirappalli Municipal Corporation thus the said proceedings are null and void as far as petitioner property concerned, vide न.क.स्री1/1808/2018.

For Petitioner : Mr.S.Jayavel
For R1 & R2 : Mr.B.Saravanan
Additional Government Pleader
For R3 : Mr.S.Saji Bino
Standing Counsel

ORDER

The petitioner challenges the proceedings of the respondents in न.क.स्री1/1808/2018 on the ground that they are ultra vires of Development Plan of Trichirappalli Municipal Corporation.



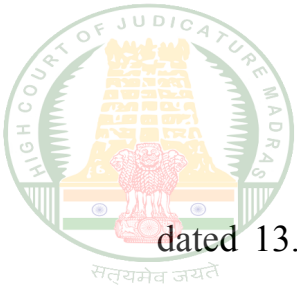
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2. Though the writ petition was taken on file and an order of status quo was directed to be maintained by an order, dated 13.02.2020, the grievance of the petitioner is that violating the said order of status quo, the authorities have forcibly dispossessed the petitioner, demolished the petrol bunk and laid the road, thereby rendering the relief in the writ petition infructuous.

3. However, the learned counsel for the petitioner would submit that he would not take away the right of the petitioner to punish the respondents concerned for willful disobedience of the orders of this Court.

4. Further, the learned Additional Government Pleader would also submit that on 07.08.2020, entire compensation amount has been deposited to the account of the writ petitioner. In this regard, the learned counsel for the petitioner would contend that the award copy has been recently furnished to the petitioner and the petitioner is taking necessary steps to challenge the same in a manner known to law.

5. Considering the developments, there may not be any necessity to keep this writ petition pending. Therefore, giving liberty to the petitioner to move contempt proceedings for the alleged disobedience of the orders of this Court,



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dated 13.02.2020 and for seeking enhancement of the compensation amount

WEB deposited to the petitioner's account, this writ petition is closed. The petitioner is at liberty to make an application under the Right to Information Act to seek full and better particulars of the authorities who have taken law on to their own hands and violated the interim order of this Court, by demolishing the petrol bunk and also laying the service road in flagrant violation of order of *status quo* granted by this Court on 13.02.2020.

6. With the above said liberty, this Writ Petition stands closed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

19.03.2025

NCC:yes/no

Index:yes/no

Internet:yes/no

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P.B.BALAJI, J.

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