



WP(MD). No.21076 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 13/02/2025

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.(MD). No.21076 of 2019

M.Deivam

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Petitioner

-VS-

1 The District Collector,
Madurai District.

2 The Revenue Divisional Officer,
Madurai District.

3 The Tahsildar,
Usilampatti Taluk,
Madurai District.

4 The Block Development Officer,
Chellampatti Panchayat Union,
Madurai District.

5 R.Rajakan

...

Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus, to call for the records relating to the impugned order, dated 02.08.2019, in



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Na.Ka.No.1184/2019/AA4, issued by the third respondent, directing the fourth respondent to restore the original status of Survey No.15/7A1, Jothimanickam Village, Usilampatti Taluk, Madurai District, and quash the same and consequentially forbear the respondents 1 to 4 from demolishing the culvert bridge constructed under the Pradhan Mantri Gram Sadak Yojana (PMGSY) scheme in Chellampatti to Vikramangalam Road at Jothimanickam Village.

For Petitioner : Mr.J.Barathan

For Respondents 1 to 4 : Mr.M.Sarangan,
Addl. Govt. Pleader.

ORDER

**(Order of the Court was made by
the Hon'ble The Chief Justice)**

There was a culvert built on a road, that passes through the village concerned, namely, Chellampatti. A part of the culvert was built on land, belonging to respondent No.5. Respondent No.5 is not before us, because the petitioner has not bothered to even ensure that notice is issued to respondent No.5, though over five years have passed since notice was ordered by the Court. Be that as it may, Respondent No.5 wanted that projection of the culvert that extended into his private land be removed. We are informed by petitioner's counsel that respondent No.5 had also filed a writ petition.



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2. Mr.M.Sarangan, learned Additional Government Pleader, states that respondent No.5 has been heard and it has been decided to resolve the issue with the Block Development Officer, Chellampatti Panchayat Union, writing to Tahsildar to acquire the land on which the culvert has been constructed.

3. We are informed, it is a meagre area of 0.19 sq.mts.

4. Mr.Sarangan states, the process of acquisition has begun in 2019 itself.

5. We see that there is no impediment for the acquisition process so long as it is done in accordance with law.

6. In view of the above, Writ Petition is disposed. No costs.

(K.R.SHRIRAM, C.J.) (V.LAKSHMINARAYANAN, J.)

13.02.2025

NCC : Yes/No

Index : Yes/No

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