

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

WP.No.37332/2015

1.A.Mohamed Shengal Basha
2.A.Mohamed Umar Basha
3.A.Mohamed Siddick Basha

..Petitioners

-Versus-

1.The District Collector
Vellore District, Vellore.
2.The Special Tahsildar
Adi Dravidar Welfare,
Walajapet, Vellore District.
3.The Tahsildar
Walajapet, Vellore District.

..Respondents

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying for a issuance of a writ of mandamus to direct the 2nd and 3rd respondents to restore the revenue record in Punjai Survey No.331/1A3 measuring 1.10 acres situated at Ammoor village, Wallajah Taluk, Vellore District in the name of the petitioners/land owners as like in the original position prior to 4[1] Notification of the Tamil Nadu Acquisition of Land for Harijan Welfare Act, 1978 in the light of this Court order dated 27.06.2014 made in WP.No.16094/2003 based on the petitioners' representation dated 13.10.2015.

For Petitioner : Mr.M.Rajendiran

For Respondents : Mr.R.Rajeswaran, Spl.GP

ORDER

Heard the learned counsel for the petitioner and Mr.R.Rajeswaran, learned Special Government Pleader appearing

for the respondents and with their consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed this writ petition praying for issuance of a writ of mandamus to restore the revenue records in respect of the lands in question in the name of the petitioner as the Land Acquisition Proceedings initiated by the 2nd respondent under the provisions of the Tamil Nadu Acquisition of Lands for Harijan Welfare Scheme Act, 1978, was quashed by this Court in WP.No.16094/2003 dated 27.06.2014. When the revenue records were not restored to the petitioner's name, the petitioner filed a contempt petition in Cont.P.No.1050/2015 and the contempt petition was dismissed with liberty to the petitioner to approach the authorities concerned with proper representation along with a copy of the order made in the writ petition. This direction issued by this Court has been complied with by the petitioner and no action has been initiated pursuant to the said representation and therefore, the petitioner has approached this Court by filing the present writ petition.

3. A copy of the representation was not only submitted to the 3rd respondent herein, but also to the District Adi Dravidar Welfare Officer, Vellore, who in turn, by his Memo dated 29.09.2015, has forwarded the representation to the 3rd representation. That apart, a separate representation has been given to the 2nd respondent also on 13.10.2015.

4. In the light of the above, there will be a direction to the 3rd respondent to consider the petitioner's representation, issue notice to the 2nd respondent, verify as to whether the order passed by this Court in the writ petition in WP.No.16094/2003 dated 27.06.2014 has become final and if the acquisition proceedings have been finally set aside and no appeal has been preferred as against the said order in the writ petition, then the 3rd respondent shall take appropriate action for restoring the revenue entries in whose name the revenue records were there prior to the initiation of the land acquisition proceedings. The above direction shall be complied with by the 3rd respondent within a period of three months from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

AP

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The District Collector,
Vellore District, Vellore.

2.The Special Tahsildar,
Adi Dravidar Welfare,
Walajapet, Vellore District.

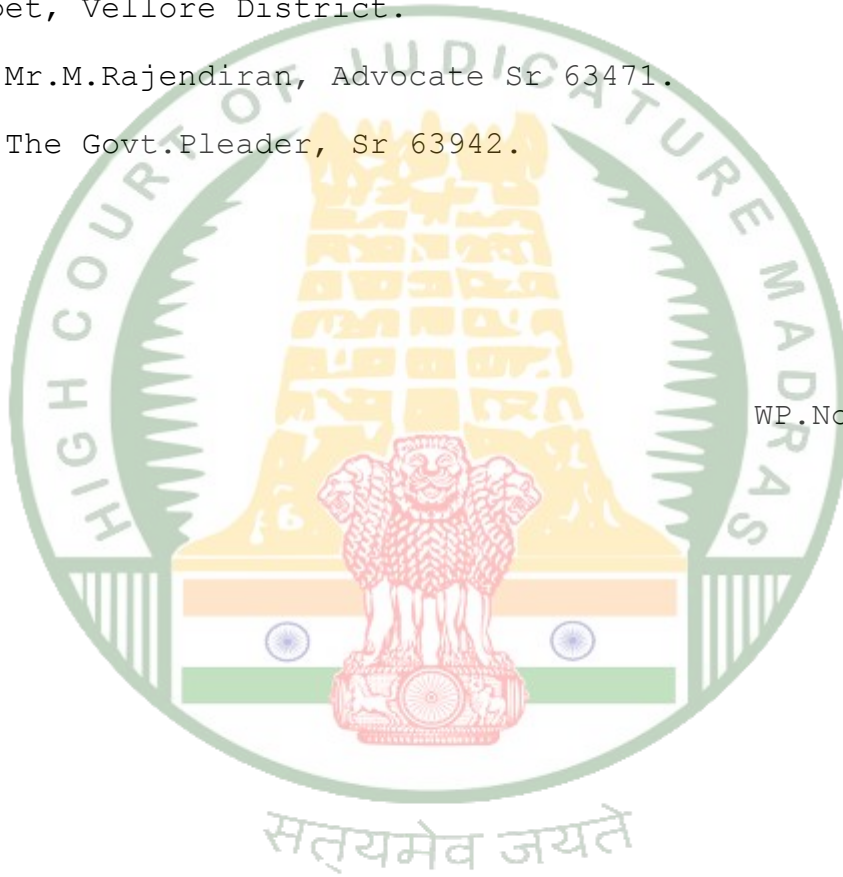
3.The Tahsildar,
Walajapet, Vellore District.

+ 1 cc to Mr.M.Rajendiran, Advocate Sr 63471.

+ 1 cc to The Govt.Pleader, Sr 63942.

NM/CO
KR/11/12

WP.No.37332/2015



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