

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

W.P.No.20806 of 2014

1. A.Nagarajan
2. A.Ganesan
3. P.Senthilkumar
4. S.Chinnappayan
5. A.S.Srinivasan

..Petitioners

vs.

1. The Tahsildar
Taluk Office
Omalur, Omalur Taluk
Salem District.

2. The Special Tahsildar (Land
Acquisition), Neighbourhood Scheme
Iyyanthirumaligai
Salem-8.

3. The Village Administrative Officer
Kottagoundampatti Village
Omalur Taluk
Salem District.

.. Respondent

Prayer: Writ Petition under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the first and third respondents to change the revenue records and pattas in favour of the petitioners in respect of land in Survey No.68/3B to an extent of 0.98.5 hecs.at Kottagoundampatti village, without insisting on the No Objection Certificate from the second respondent.

For Petitioner : Mr.M.Elango
For Respondents : Mr.K.Dhananjayan
Special Government Pleader

ORDER

Heard the learned counsel appearing on behalf of the petitioners, as well as the learned counsel appearing on behalf of the respondents.

2. This writ petition has been filed praying that this Court may be pleased to issue a WRIT OF MANDAMUS directing the first and the third respondents to change the revenue records and the pattas, and to issue pattas in favour of the petitioners, in respect of the land, in Survey No.68/3B, Kottagoundampatti village, Omalur Taluk, Salem District, without insisting on the 'No Objection Certificate' from the second respondent.

3. The petitioners had stated that the Land Acquisition proceedings, in respect of the land in question, had been challenged before this Court. By an order passed by a Division Bench of this Court, on 16.06.2014, in W.A.No.368 of 2013, it had been held that the land acquisition proceedings, in respect of the land in question, had lapsed. Therefore, the petitioners, had made representations to the first and the third respondents to change the revenue records and to issue pattas, in favour of the petitioners, in respect of the land in question.

4. A counter affidavit had been filed on behalf of the second respondent stating that the second respondent had filed a Special Leave Petition, before the Supreme Court, on 20.08.2014, challenging the order passed by the Division Bench, on 16.06.2014, in W.A.No.368 of 2014 and it has also been stated that the Special Leave Petition is due for final hearing, by the Supreme Court.

5. In such circumstances, this Court does not find it fit to issue a direction, as prayed for by the petitioners, at this stage. However, it is open to the petitioners to seek their reliefs, if any, after the disposal of the Special Leave Petition, said to be pending before the Supreme Court.

6. Hence, the writ petition stands dismissed. No costs.
vj2

s/d-
Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Tahsildar
Taluk Office
Omalur, Omalur Taluk
Salem District.

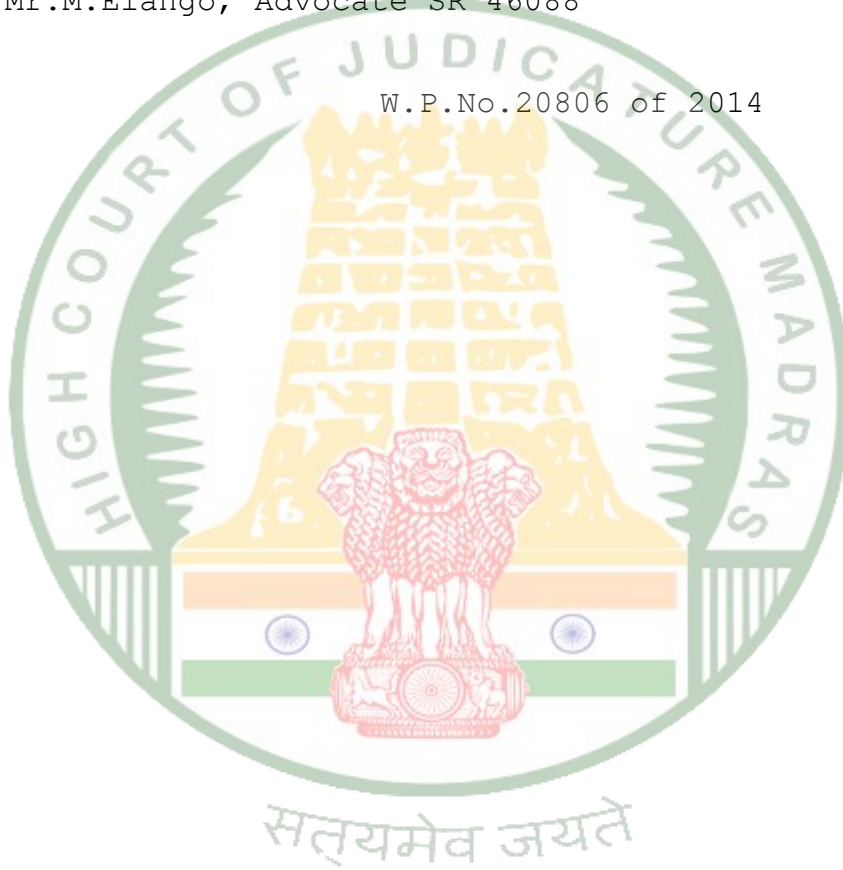
2. The Special Tahsildar (Land Acquisition), Neighbourhood Scheme Iyyanthirumaligai Salem-8.
3. The Village Administrative Officer Kottagoundampatti Village Omalur Taluk Salem District.

+1 cc to Govt.Pleader SR 46297

+ 1 cc to Mr.M.Elango, Advocate SR 46088

pa(co)
prk31/8

W.P.No.20806 of 2014



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