

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.19624 of 2013

and

M.P.No.1 of 2013

S.Aaron @ Arun Raj

.. Petitioner

Vs.

1.The District Collector,
Erode District.

2.The Revenue Divisional Officer,
Erode Revenue Division,
Erode District.

3.The Tahsildar,
Perundurai,
Erode District.

4.The Head Quarters Deputy Tahsildar,
Perundurai, Erode District.

5.The Managing Director,
State Express Transport Corporation,
Pallavan Salai, Chennai-2.

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, forbearing the respondents from proceeding the transfer / alienating the depressed class land to State Express Transport Corporation, in S.Nos.358/1, Old No.620/A punja land to an extent of 1.43.5 hectare in Karumandichelli palayam Revenue village, Perundurai Taluk, Erode District.

For Petitioner : Mr.S.Arokia Maniraj

For Respondents : Mr.K.Rajendra Prasad, AGP
for RR1 to 4
Mr.P.Prathap Singh for R-5

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ORDER

Heard.

2 This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, forbearing the respondents from transferring or alienating the land, in S.No.358/1, Old No.620/A, having an extent of 1.43.5 hectares, in Karumandichelli Palayam Revenue village, Perundurai Taluk, Erode District.

3 The petitioner had stated that the land in question was classified as Depressed Class land / Panjami land. A conditional allotment of the land had been made, in favour of the grand father of the petitioner. Thereafter, the father of the petitioner had been in possession and enjoyment of the land in question. However, he had conveyed the said land, in favour of a third party. After the death of the father of the petitioner, on 5.10.2000, the petitioner has been in possession and enjoyment of the said land.

4 It had been further stated that after the death of the father of the petitioner, the respondents had repossessed the land in question, on 22.12.2011, by way of an order passed by the Revenue Divisional Officer, Erode, the second respondent herein. The respondents are taking steps to allot the land, in favour of the State Express Transport Corporation. In such circumstances, the petitioner has filed a writ petition, before this Court, in W.P.No.13237 of 2013, praying for the Writ of Mandamus to direct the respondents therein to consider the representation of the petitioner and to pass appropriate orders thereon. The said writ petition had been disposed of by this Court, directing the respondents to consider the representation of the petitioner, for re-allotment of the land in question, in his favour.

5 The learned counsels appearing on behalf of the respondents concerned had submitted that no allotment of the land had been made, in favour of the State Express Transport Corporation, as on date. It had been further stated that in view of the order passed by this Court, in W.P.No.13237 of 2013, the representation of the petitioner for re-allotment of the land, in favour of the petitioner, would be considered, by the authorities concerned.

6 In view of the said submissions made by the learned counsels appearing on behalf of the respondents concerned, this Court is of the view that no further orders are necessary in the present writ petition. Hence, the writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vvk

To

- 1.The District Collector,
Erode District.
- 2.The Revenue Divisional Officer,
Erode Revenue Division,
Erode District.
- 3.The Tahsildar,
Perundurai,
Erode District.
- 4.The Head Quarters Deputy Tahsildar,
Perundurai, Erode District.
- 5.The Managing Director,
State Express Transport Corporation,
Pallavan Salai, Chennai-2.

+1 cc to M/s.S.Arokia maniraj Advocate sr 54637
+1 cc to Government Pleader sr 55033

W.P.No.19624 of 2013

aa21/10/2016