



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.08.2016**

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.SASIDHARAN**

W.P. (MD) No.4087 of 2011

and

M.P.No.1 of 2011

G.Balaiya : Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep by its Chief Secretary,
Secretariat, Omanthur Government Estate,
Chennai.
 - 2.The Director,
Tamil Nadu Industrial Development Corporation Limited,
No.19-A, Rukmani Lakshmipathi Road,
Egmore, Chennai 600 008.
 - 3.The District Collector,
Nagercoil, Kanyakumari District.
 - 4.Mr.S.Kumarasamy,
The Director,
Tamil Nadu Industrial Development Corporation Limited,
No.19-A, Rukmani Lakshmipathi Road,
Egmore, Chennai 600 008.
- : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the second respondent to re-deliver the lands purchased from the petitioner in an extent of 10 acres and 63 cents in Survey Nos.38, 39/1, 40/2, 45/1, 101/4, 102/2 and 102/3 at Shenbagaramanpudur Village, Thovalai Taluk, Kanyakumari District.

For Petitioner	: Ms.S.Meenakshi
	For Mr.T.Lajapathi Roy
For Respondent Nos.1&3	: Mr.M.Murugan
	Government Advocate
For Respondent No.2	: Mr.M.ViJayan
	For M/s.King & Patridge
For Respondent No.4	: Already dismissed for default

**O R D E R**

The petitioner sold the property to the Tamil Nadu Industrial Park (Rubber) Limited. Without impleading the purchaser as a party, the petitioner has come up with this Writ Petition to direct the second respondent to re-deliver the property having an extent of 10 acres and 63 cents in Survey Nos.38, 39/1, 40/2, 45/1, 101/4, 102/2 and 102/3 at Shenbagaramanpudur Village, Thoivalai Taluk, Kanyakumari District.

2. Even as per the affidavit filed in support of the Writ Petition, the property was sold by the petitioner. It is not the case of the petitioner that the land in question was acquired by the Government by invoking the provisions of the Act.

3. Since the property was sold by the petitioner, there is no question of issuing a direction to the second respondent to re-deliver the land. I am, therefore, of the view that there is no merit in the contention taken by the petitioner.

4. In the upshot, I dismiss the Writ Petition. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1.The Chief Secretary to Government,
Secretariat, Omanthur Government Estate,
Chennai.

2.The Director,
Tamil Nadu Industrial Development Corporation Limited,
No.19-A, Rukmani Lakshmipathi Road,
Egmore, Chennai 600 008.

3.The District Collector,
Nagercoil, Kanyakumari District.

+1 cc to M/S.KING & PARTRIDGE, Advocate Sr.No.46957

+1 cc to MR.T. LAJAPATHI ROY, Advocate Sr.No.47358

+1 cc to Special Government Pleader SR.No.47418

ORDER MADE IN
W.P. (MD) No.4087 of 2011
24.08.2016