

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2017

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.A No.1643 of 2013 and
M.P.No.1 of 2013

1.P.Sundaramoorthy
2.P.Rajaram
3.Jayakumar
4.A.Peroli

...Appellants/Petitioners

Vs

1.The State of Tamilnadu rep. by its
Secretary, Adi Dravidar and Tribal
Welfare Department,
Fort St.George, Chennai -9.

2.The District Collector,
Villupuram District Collectorate,
Villupuram.

3.The District Revenue Officer,
Villupuram District, Villupuram.

4.The Revenue Divisional Officer,
Villupuram District,
Villupuram.

5.The Special Tahsildar,
Adi Dravidar Welfare,
Pidagam Village, Villupuram Taluk.

...Respondents/Respondents

Prayer:- Writ Appeal filed under clause 15 of the Letter Patent against the order dated 11.07.2013 in W.P.No.18966 of 2013.

WP.No.18966 of 2013:Petition filed under Article 226 of Contitution of India seeking Writ of Certiorarified mandamus calling for records relating to the 1st respondent's proceeding made in Letter No. 2729/ Ni.a.1/ 2012-B dated 28.5.2013 to quash the same and consequently direct the respondents to withdraw the land acquisition proceedings by resorting to alternate site on the basis of the representation dated 25.6.2013

For Appellants : Mr.L.Chandrakumar

For Respondents : Mr.K.Dhananjeyan
Spl.Govt.Pleader

J U D G M E N T

K.K. SASIDHARAN, J.

The representation submitted by the appellants seeking re-conveyance of the land was rejected by the Government. The said order was upheld by the learned single Judge. Feeling aggrieved, the appellants are before this Court with this intra court appeal.

2. Heard the learned counsel for the appellants. We have also heard the learned Special Government Pleader on behalf of the respondents.

3. The appellants earlier challenged the land acquisition proceedings before this Court. The writ petitions were dismissed. The writ appeals filed by the appellants were also dismissed. Thereafter, the appellants submitted representation to the Government for re-conveyance. Since follow up action was not taken, the appellants filed W.P.No.1033 of 2012 for a direction to the Government to consider their representation. The competent authority considered the matter pursuant to the direction issued by this Court and rejected the representation on the ground that the Government have already allotted 117 plots to the beneficiaries.

4. The order passed by the Government was put in issue before the writ court. The learned single Judge found that since the Government have already distributed the lands to the beneficiaries, there is no question of re-conveyance. We are therefore of the view that the learned single Judge was correct in dismissing the writ petition.

5. In the up shot, we dismiss the intra court appeal. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

1.The Secretary, Adi Dravidar and Tribal Welfare Department,
The State of Tamilnadu
Fort St.George, Chennai -9.

2.The District Collector,
Villupuram District Collectorate,
Villupuram.

3.The District Revenue Officer,
Villupuram District, Villupuram.

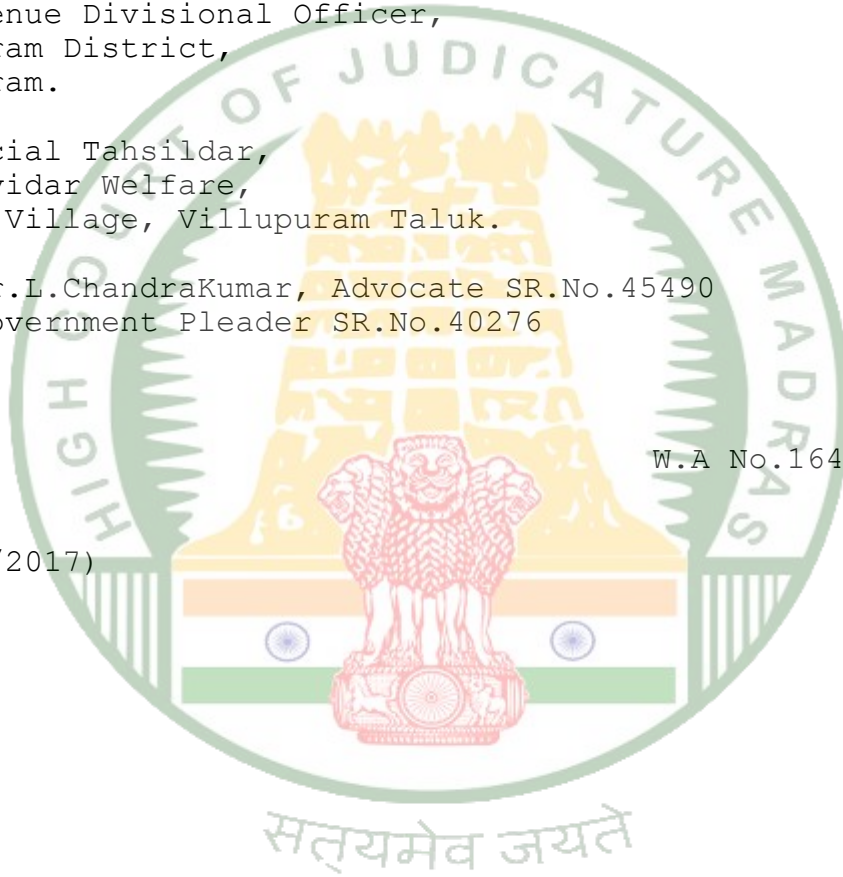
4.The Revenue Divisional Officer,
Villupuram District,
Villupuram.

5.The Special Tahsildar,
Adi Dravidar Welfare,
Pidagam Village, Villupuram Taluk.

+1cc to Mr.L.ChandraKumar, Advocate SR.No.45490
+1cc to Government Pleader SR.No.40276

W.A No.1643 of 2013

GJ(CO)
GN(03/08/2017)



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