

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2017

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

W.P.No.13675 of 2003

Palaniappa Gounder

... Petitioner

vs.

1.The District Collector
Coimbatore.

2.The Special Tahsildar
Adi Dravida Welfare
Pollachi
Coimbatore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari calling for the records relating to the Notification bearing Na.Ka.No.4741/2002/K.6, dated 07.12.2002 issued by the first respondent and published in the Coimbatore District Gazette Special Issue No.35, dated 13.12.2002 in respect of his land bearing S.F.No.170/3, measuring 0.20.0 HAC (out of 1.04 acres), in Kondampatti Village, Pollachi Taluk, Coimbatore District.

For petitioner

Mr.Naveen Kumar

For Respondents

Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

When the matter was taken up for hearing, learned counsel for the petitioner submitted that the petitioner had died and that the beneficiaries have started using the acquired land for burial ground.

2. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader submitted that the land was acquired under the The Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978 for the purpose of providing burial ground for members of Adi Dravidar community. Pursuant to the acquisition proceedings, physical possession of the land was taken and the same is now

being used as burial ground. The compensation amount has also been deposited in the Court.

3. Learned counsel for the petitioner produced a communication sent by Mr.P.Gunasekaran, legal heir of the deceased petitioner to the counsel, wherein it is stated that the legal heirs are not interested in further pursuing the matter. A copy of the said letter is placed on record.

Recording the submission made by the learned Special Government Pleader, this petition is dismissed with liberty to the heirs of the deceased petitioner to approach the competent Court for withdrawal of the compensation amount, if not already withdrawn. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gms

To

1.The District Collector
Coimbatore.

2.The Special Tahsildar
Adi Dravida Welfare
Pollachi
Coimbatore District.

+1cc to Ms.Kamatchi, Advocate, S.R.No.4621

RSK(CO)
RS(09/02/2017)

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