

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.24775 of 2003

Jeevanantham

.. Petitioner

Vs.

1) The State of Tamil Nadu,
Rep by the Secretary to Government,
Department of Land Administration,
Fort St. George,
Chennai 600 009

2) Revenue Divisional Officer,
Ramnad,

3) The Special Tahsildar,
Land Acquisition, Ramnad

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, by calling for the records pertaining to the orders passed by the Government in G.O.Ms.No.174, Housing & Urban Development Department dated 23.02.1994 and G.O.Ms.No.424, Housing & Urban Development Department dated 31.03.1995 published in Gazette dated 31.03.1995 in so far as the petitioner is concerned and quash the same for the lands acquired in Group survey No.332/5 measuring 2847 sq ft of Pattinamkathan Village, Ramanathapuram Taluk.

For Petitioner : Mr.M.Md.Ibrahim Ali

For Respondents : Mr.Akhil Akbar Ali,
Government Advocate

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ORDER

Today, when the matter is taken up for hearing, Mr.M.Md.Ibrahim Ali, learned counsel for the petitioner submitted that the prayer made in this Writ Petition is squarely covered by the decision of this Court, which was clarified by the Apex Court and the relief obtained before the Supreme Court in Special Leave to Appeal (C) No(s).5595-5623/2014, dated 30.09.2016 is extracted below:

"However, if the petitioners seek to ventilate their grievances under Section 24(2) of the Right to Fair Compensation and Transparency in Land acquisition, Rehabilitation and Resettlement Act, 2013, it will be open them to do so before the appropriate authority.

2. During the pendency of the writ petition, the learned counsel of the petitioner submitted that W.P.(MD).14236 of 2014 was filed before the Madurai Bench of this Court and the same is pending. In view of the said submission made by learned counsel for the petitioner, which has not been refuted by the learned counsel for the respondents and taking note of the observations made of the Apex Court mentioned supra, the writ petition is disposed of, with liberty to the petitioner to agitate the grievances in W.P.(MD).No.14236 of 2014 pending before the Madurai Bench.

It is open to the parties to raise all the contentions that are legally available to them, in the said writ petition pending before the Madurai Bench. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

- 1) The Secretary to Government
The State of Tamil Nadu,
Department of Land Administration,
Fort St. George,
Chennai 600 009
- 2) The Revenue Divisional Officer,
Ramnad,

3) The Special Tahsildar,
Land Acquisition, Ramnad

+1 cc to M/s.Md.Ibrahim Ali Advocate sr 48442
+1 cc to the Government Pleader sr 49392

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