



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.01.2017
CORAM

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRA BAABU
W.P(MD)No.21509 of 2016

Arunagiri

... Petitioner

vs.

1. The State of Tamil Nadu,
Represented by it's Secretary,
Adi Diravidar and Tribal Welfare Department,
St. George Fort, Chennai - 600 009.

2. The District collector,
District Collector Office,
Tirunelveli, Tirunelveli District.

3. The Special Tahsildar,
Adi Diravidar Welfare Department,
Tenkasi, Tirunelveli District.

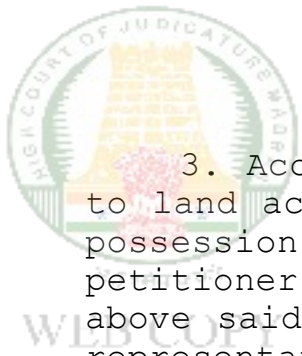
... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus directing the Respondents No-1 to 3 to reconvey the property measuring about 0.41.5 Hectare of land situated in Survey Numbers: 107/1B1 and 107/1B2 of Mayamankurichi Village, Alankulam Taluk, Tirunelveli District to the Petitioner by considering the Petitioner's representation dated 19.10.2016 in the light of the Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within a stipulated time that may be fixed by this Hon'ble Court.

For Petitioner	: Mr. R. Karunanidhi
For Respondents	: Mr. T.S. Mohammed Mohideen Additional Government Pleader

O R D E R

The petitioner seeks for a mandamus directing the Respondents No-1 to 3 to re-convey the property measuring about 0.41.5 Hectre of land situated in Survey Nos. 107/1B1 and 107/1B2 of Mayamankurichi Village, Alankulam Taluk, Tirunelveli district to the Petitioner by considering the Petitioner's representation dated 19.10.2016 in the light of the Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within a stipulated time that may be fixed by this Court.



3. According to the petitioner, though the land was subjected to land acquisition proceedings as early as in the year 1989, the possession of the same is still with the petitioner and thus, the petitioner is entitled to protection under Section 24(2) of the above said Act. Ventilating such grievance, the petitioner made a representation on 19.10.2016.

4. Therefore, it is for the first respondent to consider the said request of the petitioner and pass orders on the same on merits and in accordance with law after verifying the fact as to whether possession is taken or still lying with the petitioner. Such exercise shall be done by the first respondent within a period of four months from the date of receipt of copy of this order.

5. Needless to say that it is for the first respondent to seek an appropriate report from the second and third respondents before passing an order. It is made clear that this Court is not expressing any view on the claim made by the petitioner with regard to the possession of the land subjected to land acquisition proceedings.

6. With the above observations, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The State of Tamil Nadu, Represented by it's Secretary,
AdiDiravidar and Tribal Welfare Department,
St. George Fort, Chennai - 600 009.
2. The District collector,
District Collector Office,
Tirunelveli, Tirunelveli District.
3. The Special Tahsildar,
Adi Diravidar Welfare Department,
Tenkasi, Tirunelveli District.

+1cc to Mr.R.Karunanidhi, Advocate Sr.No.302

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.483

W.P (MD) No. 21509 of 2016
03.01.2017