

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 21.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.4846 of 2013****and****M.P(MD)No.1 of 2013**

S.Ramaraj

... Petitioner

Vs.

1. The Commissioner and Secretary to Government
Adi Dravidars,
Schedule Tribes Social Welfare Department,
Fort St. George, Chennai.

2. The District Collector,
Dindigul District,
Dindigul

3. The Special Tahsildar,
Unit I, Adi Dravidar Welfare Scheme,
Dindigul District.

... Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the just and reasonable compensation by adopting the procedures contemplated under the Land Acquisition Act, 1/1864 for the lands acquired in Survey No.491/1, 491/1B, 491/3A of Arayanoothu Village, Dindigul Taluk for an extent of Acre 10 cent 86, to the petitioner.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.M.Alagathevan,
Special Government Pleader**O R D E R**

This writ petition has been filed, seeking to direct the respondents to pay the just and reasonable compensation by adopting the procedures contemplated under the Land Acquisition Act, 1/1864 for the lands acquired in Survey No.491/1, 491/1B, 491/3A of Arayanoothu Village, Dindigul Taluk for an extent of Acre 10 cent 86, to the petitioner.



2. Heard the learned Counsel appearing on either side.

3. It is the case of the petitioner that the property in question originally belonged to his mother and his paternal uncles and they have been in joint enjoyment of the property as absolute owners. Subsequently, his mother expired on 20.04.1996 by bequeathing the entire share of the property by a Will dated 03.04.1996 to the petitioner, being a sole legal heir. In the meanwhile, the respondents have issued proceedings to acquire his lands for providing house sites for Konda Reddy Community People without intimating anything about such acquisition. Hence he filed a suit in O.S. No.177 of 2003 on the file of District Munsif Court, Dindigul, for the relief of declaration and injunction against the respondents and the suit was decreed on 13.10.2003. As against the said decree, the respondents have preferred an appeal in A.S.No.126 of 2007, on the file of the Sub Court, Dindigul, in which, no interim order was granted. Later, the petitioner submitted a representation dated 02.02.2013 asking for the particulars of acquisition proceedings and the payment of just and reasonable compensation, but till date there is no reply from the respondents and pursuant to the inaction on the part of the respondents, the present writ petition has been filed for the relief as stated supra.

4. On perusal of the averments made in the writ petition, it is seen that the prayer in this writ petition is to the extent of furnishing him the copy of the award, if any passed and also to furnish the details related to the compensation paid or deposited.

5. In reply to the above, the learned Special Government Pleader appearing for the respondents has submitted that the respondents are ready to positively consider the request of the petitioner.

6. In view of the above submission and also considering the limited scope of the relief sought for, this Court, without going into the merits of the matter, directs the respondents to furnish the copy of the award and other particulars of acquisition of his property, within two weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of as above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)



1. The Commissioner and Secretary to Government
Adi Dravidars,
Schedule Tribes Social Welfare Department,
Fort St. George, Chennai.

2. The District Collector,
Dindigul District,
Dindigul

3. The Special Tahsildar,
Unit I, Adi Dravidar Welfare Scheme,
Dindigul District.

+1cc to M/S. M.THIRUNAVUKKARASU, Advocate, SR.No.80196.

W.P (MD) No.4846 of 2013
21.09.2017

rm
SDS/KK/SAR 4/09.10.2017/3P/5C