



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P. (MD) No.5906 of 2013

S.Ponmozhi

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. By its Secretary to the Government,
Revenue Department,
Fort St.George, Chennai 600 009.
- 2.The District Collector,
Karur District, Karur.
- 3.The Special Tahsildar/
Land Acquisition Officer,
Perinthita Vallaga Thittam,
Karur District, Karur.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to re-convey the lands measuring an extent of 2000 Sq.ft bearing Plot No.22A, situated at Thanthoni Village, Karur Taluk, Karur District, under section 48.B of the land Acquisition Act, 1894, based upon the petitioner's representation dated 18.09.2012.

For Petitioner : Mr.J.Senthil Kumar

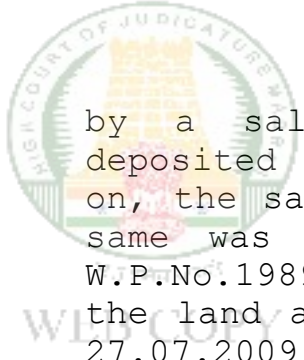
For Respondents : Mr.S.Kumar,

Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner to issue a Writ of Mandamus, to direct the first respondent to re-convey the lands belonging to him, based on his representation dated 18.09.2012.

2. The case of the petitioner is that the respondents acquired certain lands from the public, on 11.10.1999, for the purpose of forming Master Plan Complex of Karur, which includes the petitioner in Plot No.22A, situated at Thanthoni Village, Karur Taluk, Karur District, measuring to an extent of 2000 sq.feet. The said property was purchased by the petitioner,



by a sale deed dated 16.09.1988, whereas, the respondents deposited the compensation amount to the previous owners. Later on, the said compensation amount was recovered from them, but the same was not credited to the petitioner. In the meanwhile, W.P.No.19899 of 1999, was filed by the other land owners, against the land acquisition notification and this Court, by order dated 27.07.2009, allowed the writ petition and quashed the entire land acquisition proceedings. Pursuant to the same, the petitioner questioned about the status of his property to the respondents and he was informed that the respondents had a proposal to prefer an appeal as against the order in W.P.No.19899 of 1999. Thereafter, the petitioner submitted a representation before the third respondent dated 18.09.2012, for re-conveying his lands to him. As the same has not been considered so far, the petitioner is before this Court.

3. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. The learned Counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 18.09.2012, is disposed of by the respondents as per law.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner dated 18.09.2012 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Secretary to the Government,
Revenue Department, Fort St.George, Chennai 600 009.
- 2.The District Collector, Karur District, Karur.
- 3.The Special Tahsildar/ Land Acquisition Officer,
Perinthita Vallaga Thittam, Karur District, Karur.
- +One cc to M/s.J.Senthilkumar, Advocate, SR.No.71198
- +One cc to The Special Government Pleader, SR.No.71691

gk