

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2018

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.19425 of 2004

C.Sethuraman

...Petitioner

Vs

1.The State of Tamil Nadu,
Represented by its Commissioner and
Secretary to Government,
Adi Dravida and Tribal Welfare Department,
Fort St. George, Chennai-9.

2.The District Collector,
Cuddalore District.

3.The Special Tahsildar,
Adi Dravida Welfare (Land Acquisition Officer),
Virudhachalam, Cuddalore District.

(R-3 amended as per order of Court dated
25.8.2004 made in WPMP No.27675 of 2004) ... Respondents

PRAYER: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorarified
Mandamus, calling for the records relating to the order passed
by the first respondent in his proceedings Letter
No.20145/Ne.A.1/2003 dated 16.6.2004 and quash the same and
consequently, direct the respondents to transfer/reconvey the
land acquired by the respondents, in Survey Nos.94/6A,
94/6B, 94/6E, 94/6F, admeasuring 92 cents at Pennadam Village,
Thittakudi Taluk, Cuddalore District, in terms of the
recommendation made by the third respondent in his proceedings
N.Ka.Aa.56/88 dated 27.10.1999.

For Petitioner : Mr.S.Sarathchandran for
M/s.La Law

For Respondents : Mr.K.Ravikumar,
Additional Government Pleader.

O R D E R

The acquisition proceedings dated 16.6.2004 in respect
of reconveyance of the land belongs to the writ petitioner, is

under challenge in the present writ petition.

2. The learned counsel, appearing on behalf of the writ petitioner, states that the land belongs to the writ petitioner had been acquired for the purpose of providing free house sites to the poor landless of Adi Dravidar and Tribal People of that locality.

3. The learned counsel for the writ petitioner further states that certain persons, who all are beneficiaries were found ineligible to get land and therefore, a portion of the land belongs to the writ petitioner was not utilised for the purpose for which the said land was acquired. In this regard, a proposal was submitted to reconvey the land and the said proposal has not been considered by the respondents. In this regard, the first respondent passed an order in proceedings dated 16.6.2004, stating that all the 22 beneficiaries are in possession of the lands, which were acquired and patta also had been granted in their favour. Thus, the claim of the writ petitioner to reconvey the acquired land had been rejected.

4. The learned Additional Government Pleader, appearing on behalf of the respondents, submitted the copy of the instructions issued to the Government Pleader by the Special Tahsildar, Adi Dravidar Welfare Office, Virudhachalam in letter dated 23.11.2018. Even as per the said letter, all the 22 beneficiaries are in possession and enjoyment of the land allotted to them and therefore, the question of reconveying the lands already acquired does not arise at all. In respect of the land acquisition, already an award was passed and compensation also had been paid. The lands acquired were allotted in favour of the beneficiaries and the beneficiaries are in possession and enjoyment of the lands for the past many years.

5. This being the factum of the case, no further adjudication needs to be entertained in respect of the other grounds raised in the present writ petition.

6. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Commissioner and
Secretary to Government,
State of Tamil Nadu,
Adi Dravida and Tribal Welfare Department,
Fort St. George,
Chennai-9.

2.The District Collector,
Cuddalore District.

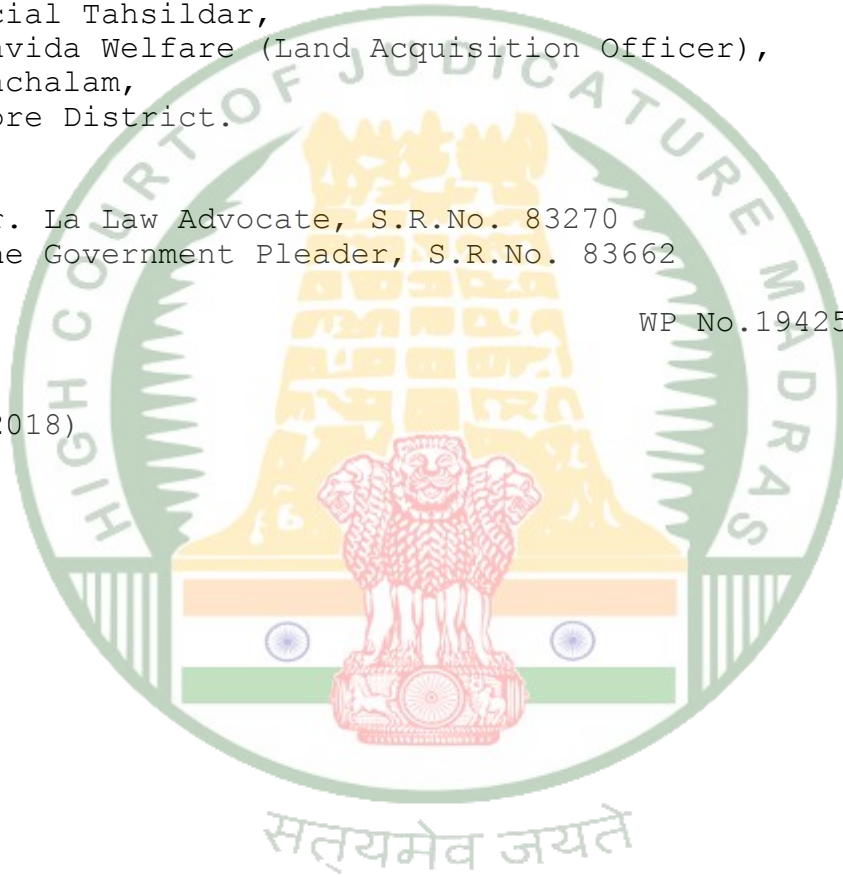
3.The Special Tahsildar,
Adi Dravida Welfare (Land Acquisition Officer),
Virudhachalam,
Cuddalore District.

+1cc to Mr. La Law Advocate, S.R.No. 83270

+1cc to the Government Pleader, S.R.No. 83662

WP No.19425 of 2004

SV(CO)
GN(24/12/2018)



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