

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.03.2018

Coram

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE Mr. JUSTICE P.VELMURUGAN

W.A.No.814 of 2014
and M.P.No.1 of 2014

- 1.State of Tamil Nadu rep.
by its Secretary to Government
Adhi Dravida and Tribal Welfare Department
Fort.St.George
Chennai 600 009.
- 2.The Special Tahsildar
(Adhi Dravida Welfare)
Villupuram 605 602.
- 3.District Collector
Villupuram District. ... Appellant/Respondents

Vs.

- 1.Arul Mari
- 2.R.Bakthavatsalam
- 3.R.Kamalanathan ... Respondents/Petitioners

Writ Appeal filed under Clause 15 of Letters Patent to set-aside the order dated 31.07.2012 made in W.P.No.31153 of 2003 on the file of this Court.

W.P.No. 31153/2003:

Writ Petition filed under Article 226 of the constitution of India praying to issue a Writ of Declaration declaring the acquisition initiated under the Central Act issued under Notification 6 of the act dated 20.10.1993 and published in Tamil Nadu Gazette Part II Section 2 dated 20.10.1993 in G.O.3-d No. 497 Adhi Dravida Tribal Welfare(1.A.1) dated 15.07.1993 as null and void and to direct the respondents to cancel the patta issued to the Kondur Village Harijans Scheme comprised in Survey No. 241/1 measuring 0.41 acres.

For Appellants : Mrs.A.Sri Jayanathi
Special Government Pleader
For Respondents: Mr.A.S.Mujibur Rahman

J U D G M E N T

[Judgment of the Court was delivered by K.K.SASIDHARAN,
J.]

The land acquisition initiated by the State under the provisions of the Tamil Nadu Acquisition of Land for Harijan Welfare Scheme Act, 1978, was quashed by the learned single Judge. While allowing the writ petition, the learned single Judge directed the appellants to effect re-delivery of the property to the respondents besides mutation of revenue records. The order is under challenge at the instance of the State.

2. We are informed by the learned Special Government Pleader and the learned counsel for the respondents that during the currency of this appeal, the matter was settled. The District Collector revalued the property and the compensation was paid to the respondents. In view of the subsequent events, the order passed by the learned single Judge is liable to be set aside.

3. The order dated 31 July 2012 is set aside. The writ petition in W.P.No.31153 of 2003 is dismissed on account of the subsequent settlement between the parties.

The intra court appeal is disposed of with the above observation. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Secretary to Government
State of Tamil Nadu
Adhi Dravida and Tribal Welfare Department
Fort.St.George
Chennai 600 009.

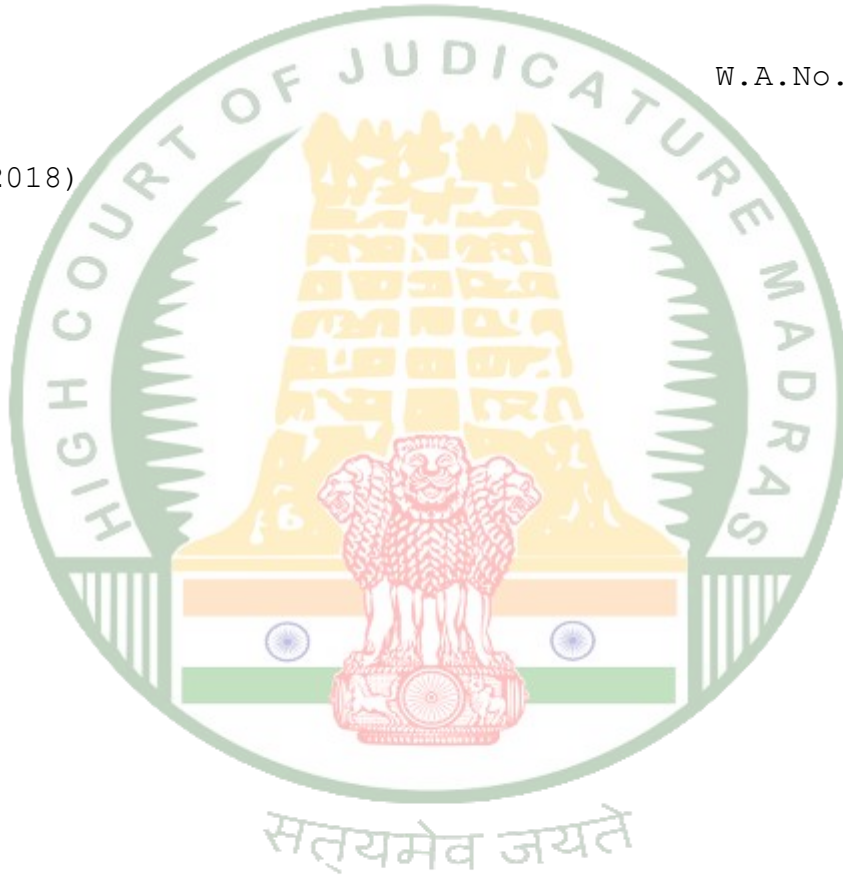
2.The Special Tahsildar
(Adhi Dravida Welfare)
Villupuram 605 602.

3.District Collector
Villupuram District.

+1 CC to Govt. Pleader sr 20104.
+1 CC to Mr.A.S. Mujibur Rahman, Advocate sr 19791.

W.A.No.814 of 2014

AK(CO)
SP(03/04/2018)



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