

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.23638 of 2013

Dr.B.R.Ambedhkar Samuganala Seva Sangam,
S.K.Road, Azhagapuri,
Ambur, Vellore District,
Represented by its Vice President,
Mr.G.Sampath.Petitioner

Versus

1. The Collector of Vellore District,
Sathuvachari, Vellore.
2. The Special Tahsildar,
Adi Dravida Welfare Land Acquisition,
Thirupathur, Vellore District. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents herein to complete the acquisition proceedings relating to the lands in S.Nos.2/1, 2/3, 3/1A and 3/2 in Block No.7, Ward E, Sanankuppam Village, Vaniyambadi Taluk, Vellore.

For Petitioner : Dr.R.Gopinath
For Respondents : Mr.D.Raja,
Additional Government Pleader

ORDER

Heard Dr.R.Gopinath, learned counsel for the petitioner and Mr.D.Raja, learned Additional Government Pleader for the respondents and perused the materials available on record.

2. This writ petition has been filed for issuance of a writ of mandamus, directing the respondents to complete the acquisition proceedings relating to the lands in S.Nos.2/1, 2/3, 3/1A and 3/2 in Block No.7, Ward E, Sanankuppam Village, Vaniyambadi Taluk, Vellore.

3. The learned counsel for the petitioner submitted that the first respondent had initiated acquisition proceedings in the year 1994 and the owners of the land have no objection for acquisition of the land. But, no further action taken place to complete the process.

4. The learned Additional Government Pleader by referring the counter filed by the first respondent submitted that the acquisition proceedings have been dropped and the request of the petitioner Sangam will be considered as and when the lands are available on private negotiation.

5. It is settled law that a writ of mandamus is not to be granted as a matter of course and could be issued in enforcement of statutory right and the failure of the official respondent in performing legal obligations. It is to be noted in the case on hand no materials have been produced to satisfy the requirements and the earlier Writ Petition No.9097 of 2004 filed for the same relief came to be dismissed on 14.6.2004.

6. In the light of the above facts, I do not find any merits in this writ petition. Accordingly, this writ petition is dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Collector of Vellore District,
Sathuvachari, Vellore.

2. The Special Tahsildar,
Adi Dravida Welfare Land Acquisition,
Thirupathur, Vellore District.

+1cc to Mr.S.V.Karthikeyan, Advocate, S.R.No.44460.

+1cc to the Government Pleader, S.R.No.44898.

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SSV (CO)
BM 01/08/2018