

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.38235 of 2004

and WPMP.Nos.45758 & 45759 of 2004

M.Buela Juliet @ Devi ... Petitioner

Vs.

1. State of Tamil Nadu,
Rep. by Secretary to Government,
(Adi Dravidar Welfare) Department,
Fort St. George,
Madras 600 009.
 2. The District Collector,
Salem.
 3. The Special Tahsildar (ADW),
Salem.
- ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the order passed by 3rd respondent in his proceeding in ROC No.2130/82/A, dated 13.03.2003 and 30.04.2003 respectively and quash the same.

For Petitioner : Mr.R.Nalliyappan
For Respondents : Mrs.P.Rajalakshmi, AGP

O R D E R

The petitioner has challenged the land acquisition proceedings in the present Writ Petition.

2. Today, when the matter is called, the learned counsel for the petitioner produced a letter dated 21.09.2006, whereby, the District Collector, Salem had informed the Director of Adi Dravidar Welfare Department, Chennai that they had taken a decision to drop the land acquisition proceedings as against the petitioner herein on

the ground that the petitioner is a destitute widow having a small extent of land.

3. Earlier, when the matter was taken up for hearing on 19.02.2019, the learned Additional Government Pleader was required to find out the status of the recommendation of the District Collector and as to whether the same was accepted. Though the learned Additional Government Pleader had informed the concerned authorities seeking for necessary instructions, she has not received any information.

4. Nevertheless, taking into account that the District Collector himself had favourably recommended for dropping the acquisition proceedings as against the petitioner's land, it would not be appropriate to keep the matter pending any further.

5. In the light of the recommendation made by the District Collector, the Writ Petition stands allowed. Consequently, proceedings of the third respondent herein, dated 13.03.2003 and 30.04.2003 are quashed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Co)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Secretary to Government,
State of Tamil Nadu,
(Adi Dravidar Welfare) Department,
Fort St. George,
Madras 600 009.

2. The District Collector,
Salem.

3. The Special Tahsildar (ADW),
Salem.

+1cc to Mr.R.Nalliyappan, Advocate SR.No. 18426

+1 cc to Government Pleader SR.NO.19389

W.P.No.38235 of 2004

vsn ii co

A.SK(01/04/2019)