

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.08.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.6333 of 2019

Sripal Pandia

...Petitioner

Vs

1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Fort St.George,
Chennai-600 009.

2.The District Collector,
Chennai-600 001.

3.The Tahsildar,
Purasawalkam-Perambur Taluk,
Perambur,
Chennai-600 011.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to consider the representation dated 18.02.2019 of the petitioner herein and delete all the entries in respect of the Land Acquisition Proceedings in the Revenue Records in respect of the land in Survey No.506/2F Perambur Village, Perambur-Purasawalkam Taluk, Vyasarpadi, Chennai.

For petitioner : Mr.AR.L.Sudaresan
Senior counsel
M/s.A.L. Gandhimathi

For R1to R3 : Mr.D.Raja
Additional Government Pleader

O R D E R

The prayer in the writ petition is to issue a Writ of Mandamus, directing the respondents herein to consider the representation dated 18.02.2019 of the petitioner herein and

delete all the entries in respect of the Land Acquisition Proceedings in the Revenue Records in respect of the land in Survey No.506/2F Perambur Village, Perambur-Purasawalkam Taluk, Vyasarpadi, Chennai.

2. The parents of the petitioner had purchased the property in the year 1980-1981. Initially there was proceedings against the property under the Land Ceiling Act and later withdrawn. However, the land was sought to be acquired under the Land Acquisition Act, a notification was issued under Section 4(1) of the Land Acquisition Act on 27.04.1989. Proceedings were ended in passing an award on 20.06.1992. Thereafter, the acquisition proceedings challenged before this Court and due to non compliance of the condition imposed on the Requisition Authority, the entire acquisition proceedings got nullified.

3. In such circumstances, when the petitioner gave a representation dated 18.02.2019 to delete all the entries in the revenue records pertaining to the land acquisition proceedings particularly in Survey No.506/2F, Perambur Village, Perambur-Purasawalkam Taluk, Vyasarpadi, Chennai, the respondents have not passed any order on the representation, hence a Writ of Mandamus is sought.

4. The learned Additional Government Pleader appearing for the respondent has filed a counter wherein, it is admitted that the Acquisition proceedings did not fructify due to non payment of the Acquisition costs by the Requisition Authority. The 2nd respondent has already informed the Government to drop the acquisition proceedings in view of the judgment by the Hon'ble Division Bench of Madras High Court vide order dated 05.04.2016, necessary orders will be passed in respect of the representation given by the petitioner on 18.02.2019.

5. After perusing the counter, this Court directed the 3rd respondent to file compliance report. Accordingly, the compliance report has been filed by the 3rd respondent, wherein, it is stated that the details of the entries in the revenue records in both the manual and online, the owner of the land in Survey No.502/2F stands in the name of Nagaiah Naidu with life time interest of his mother Saibammal. Before the land acquisition and after the land acquisition, the revenue records have not mutated subsequently. There is no entry of land acquisition in the revenue records for deletion as requested by the petitioner. Further, the learned Additional Government Pleader also produced the original register maintained manually by the revenue department as well as print out of the online entries which confirms the submission made by the 3rd respondent, which indicate no entry for deletion.

6. In the said circumstances, this Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

rpl

To

1.The Secretary to Government,
State of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Fort St.George,
Chennai-600 009.

2.The District Collector,
Chennai-600 001.

3.The Tahsildar,
Purasawalkam-Perambur Taluk,
Perambur,
Chennai-600 011.

+1 CC to M/s.A.L. Gandhimathi, Advocate sr 66881.
+1 CC to Govt. Pleader sr 67141

Writ Petition No.6333 of 2019

RJI (CO)
SP(19/08/2019)