

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.4300 of 2013
and M.P.No.1 of 2013

1.P.Komara Gounder (Deceased)
2.Palaniammal
3.K.Rajamanickam ... Petitioners
(P2 & P3 substituted as LRs of deceased P1, vide order dated
08.10.2018 made in W.M.P.No.28141 of 2018)

Vs.

1.The District Collector,
Salem.

2.The Land Acquisition Officer
and Special Officer (ADW),
Sankarai.

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the respondents not to interfere with the petitioners' possession of the lands comprised in Survey No459/2B to an extent of 3.44 acres of Vaikundam Village, Sankagiri Taluk, Salem District except in accordance with law and after passing orders under Section 4(3)b of the Tamil Nadu Acquisition of Land for Harijan Welfare Act, 1978.

For Petitioners : Ms.Aishwarya S.Nathan
for Mr.Srinathan Sridevan

For Respondents : Mr.M.Elumalai,
Additional Government Pleader

O R D E R

The petitioners have filed the above Writ Petition to issue a writ of mandamus directing the respondents not to interfere with the petitioners' possession of the lands comprised in Survey No459/2B to an extent of 3.44 acres of Vaikundam Village, Sankagiri Taluk, Salem District except in accordance with law and after passing orders under Section 4(3)b of the Tamil Nadu Acquisition of Land for Harijan Welfare Act, 1978.

2.It is the apprehension of the petitioners that the respondents would interfere with their possession without following due process of law and without considering their objections dated 24.02.2006 and also the objection given in the year 1996, which are enclosed in the typed set of papers.

3.Mr.M.Elumalai, learned Additional Government Pleader appearing for the respondents submitted that he has got written instructions from the 2nd respondent to the effect that the respondents would not interfere with the petitioners' possession of the lands except following due process of law and without considering the petitioners' objections.

4.The learned counsel appearing for the petitioner submitted that recording the submission made by the learned Additional Government Pleader, the Writ Petition may be closed.

5.In view of the submission made by the learned counsel for the petitioner, the submission made by the learned Additional Government Pleader is recorded and accordingly, the Writ Petition is closed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Salem.

2.The Land Acquisition Officer
and Special Officer (ADW),
Sankarai.

+1cc to the Government Pleader in SR.28137

WEB COPY

W.P.No.4300 of 2013
and M.P.No.1 of 2013

CP (CO)
RV (10/09/2020)