



Rew. Appln. 109 of 2021

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2021

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

**Rew. Appln. 109 of 2021
against
W.P.No.19565 of 2020**

1. A. Mariammal
2. Annamery
3. Esthar Rani
4. Josebinmery
5. Shanthi
6. Anitha
7. Salethmery
8. Reginamary
9. Uthiriyamery
10. Arul
11. Thresa
12. Paulinmery



Rew. Appln. 109 of 2021

13. Motcharagini

14. Anna Poorani

15. Arokkiya Mery

16. Arulaai

17. Selvi

18. Prakasam

19. Lourdumery

20. Johnmery

21. Annakkili

22. Mery

23. Mery

24. Charles

25. Lourdumery

26. Elenmery

27. Fathima

28. Dhansu

29. Kalarani

... Petitioners

/vs/



Rew. Appln. 109 of 2021

1. The Secretary to Government of Tamil Nadu
Adhi Dravidar Welfare Department,
St. George Fort,
Chennai 600 009

2. The District Collector,
Office of the District Collector,
Villupuram, Villupuram District.

3. The District Adhi Dravidar Welfare Officer,
Villupuram,
Villupuram District.

4. The Special Tahsildar,
Land Acquisition & Adhi Dravidar Welfare,
Gingee, Villupuram District.

... Respondents

PRAYER : Review petition filed under Order 47 Rule 1 read with Section 114 CPC to review the order dated 09.07.2021 passed in W.P.No.19565 of 2020.

For Petitioners : Dr. A.E.Chelliah,
Senior Counsel,
for
Mr. K.Sendurpandi

For Respondents : Mr. S.Arumugam,
Government Advocate



Rew. Appln. 109 of 2021

WEB COPY

ORDER

This review petition has been filed by the petitioners in the writ petition, seeking to review the order dated 09.07.2021 passed in W.P.No. 19565 of 2020.

2. The petitioners had filed a writ petition seeking a direction to mutate the revenue records in their favour pursuant to the patta granted by the respondents 3 and 4, in respect of Survey Numbers 31/10, 13, 15, 16 & 17 of Thamanur Village, Gingee Taluk, Villupuram District. Earlier the land in the above said survey numbers had been acquired by the respondent under the Tamilnadu Acquisition of land for Harizan Welfare Scheme Act (Act 31/78). Subsequently, the lands were reclassified as "Adi Dravidar Colony Natham", and pattas were issued to 37 beneficiaries including the petitioners. In the meantime, the owner of the lands filed a writ petition before this Court challenging the acquisition proceedings in W.P.No.4997 of 1999 and this Court, by an order dated 06.01.2009, set aside the acquisition proceedings on the ground that the petitioners belong to converted Christians and they have not come under the category of Adi Dravidar and the lands



Rew. Appln. 109 of 2021

cannot acquired under Tamilnadu Act 31 of 1978. However, this Court given a liberty to the respondents to initiate acquisition proceedings under the Central Act 1 of 1894 and that order has become final. Admittedly, thereafter no fresh acquisition proceedings has been initiated by the respondent/Government.

3. The petitioners, who got patta pursuant to the land acquisition proceedings, filed the Writ Petition seeking mutation of the revenue records in their favour. This Court, by an order dated 09.07.2021 dismissed the writ petition on the ground that already acquisition has been set aside and no fresh acquisition has been initiated. Hene, the petitioner cannot claim any right based on the patta granted to them and the Revenue Records cannot be mutated in their favour.

4. To review that order, the present Review has been filed mainly on the ground that, the land has already been reclassified as "Adi Dravidar Colony Natham" and patta has been issued to the petitioners and hence, the petitioners' right to get the revenue records mutated in their favour cannot be



Rew. Appln. 109 of 2021

denied. That apart, in the Status Report filed by the respondents in the Writ Petition, they have also clearly stated that patta can granted to the Christian Adi Dravidar Community People and the owners of the lands are illegal purchasers and they cannot challenge the acquisition proceedings, and based on the orders passed in the writ petition filed by them, the petitioners cannot deprive of their right to the property.

5. Mr. A.E. Chelliah, learned Senior Counsel appearing for the petitioners reiterated the grounds made in the revision petition.

6. This Court considered the submissions made on either side and perused the materials available on records carefully.

7. The contention of the petitioners cannot be accepted for a single reason that, the reclassification of the land was made subsequent to the land acquisition proceedings. Consequently, patta was also granted to the petitioners. But, the above land acquisition proceedings has been set aside by this Court and that order also become final. Admittedly, thereafter fresh



Rew. Appln. 109 of 2021

WEB COPY

land acquisition proceedings has not been initiated by the Government. In that circumstances, as on today, the petitioners cannot claim any right over the property based on the patta issued to them. So far as the Status Report filed by the respondents, in which, strong reliance has been made by the petitioners, already this Court has taken a view that in the writ petition filed by the land owners, challenging the acquisition proceedings, the lands cannot be acquired under Act 31 of 1978 for the Christian Adi Dravidar Community and that order become final and the same cannot be reviewed in this Review Petition.

8. The next contention of the learned Senior Counsel that the purchase made by the land owners is illegal, and they are not entitled to challenge the acquisition proceedings. The above said contention also cannot be considered in this Review Application. Considering all those circumstances, this Court finds no merit in the review application and the same is liable to be dismissed.



Rew. Appln. 109 of 2021

WEB COPY

9. Accordingly, this Review application is dismissed. It is made clear that if at all the petitioners have any grievance, it is always open to them to approach the concerned forum for getting appropriate relief.

24.11.2021

Index: Yes/No

Speaking Order/Non Speaking Order

mrp

To

1. The Secretary to Government of Tamil Nadu
Adhi Dravidar Welfare Department,
St. George Fort,
Chennai 600 009
2. The District Collector,
Office of the District Collector,
Villupuram, Villupuram District.
3. The district Adhi Dravidar Welfare Officer,
Villupuram,
Villupuram District.
4. The Special Tahsildar,
Land Acquisition & Adhi Dravidar Welfare,
Gingee, Villupuram District.



WEB COPY



Rew. Appln. 109 of 2021

V.BHARATHIDASAN,J.

mrp

Rew. Appln. 109 of 2021

24.11.2021

9/6