



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 28.06.2021  
CORAM:

**The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM**  
**AND**  
**The Hon'ble Mrs.JUSTICE S.ANANTHI**

**W.P.(MD).No.8251 of 2021**

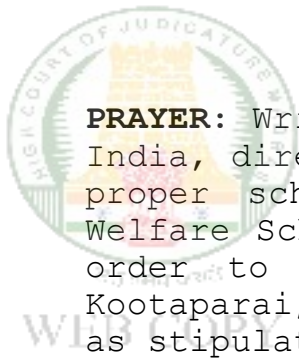
M.Chelliah

...Petitioner

Vs.

1. The District Collector,  
Dindigul - Collectorate,  
Dindigul District.
2. The Commissioner of Land Reforms,  
Chepak,  
Chennai.
3. The Revenue Divisional Officer,  
Revenue Divisional Office,  
Kodaikanal,  
Dindigul District.
4. The Thasildar,  
Kodaikanal Taluk,  
Kodaikanal,  
Dindigul District.
5. The Special Thasildar,  
Land Acquisition Aadhidravida Welfare Department,  
Nilakottai Taluk,  
Dindigul.
6. Mr.Balamurugan
7. Mrs.Subha
8. Mr.Karthikeyan
9. Mr.P.Sureshkumar
10. Mr.T.Gritharan
11. Dr.R.Kannan
12. Mrs.K.Santhameena
13. Mr.Rajiv

...Respondents



**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, directing the 1<sup>st</sup> respondent herein to formulate necessary and proper schemes under Tamilnadu Acquisition of land for Harijan Welfare Scheme Act to acquire land from the 6 to 13 respondents in order to lay a permanent metal road to reach Nellurkadu from Kootaparai, Kodaikanal Taluk, Dindigul District within a time frame as stipulated by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents : Mr.R.Baskaran,  
Standing Counsel for Govt,  
For R1 to R5.  
Mr.N.Dhilipkumar,  
for R6 to R10.  
Mr.N.S.Karthikeyan,  
For R11 to R13.

### O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM,J.**]

The petitioner seeks for a direction upon the first respondent to compulsorily acquire the lands under the provisions of the Land Acquisition Act and form a metal road.

2. This Court cannot compel the first respondent to acquire a private property.

3. When we express this, the learned counsel for the petitioner submitted that the respondents 6 to 10 are even willing to hand over the land for the formation of the road.

4. The learned counsel for the respondents 11 to 13 are strongly opposing the prayer sought for by the petitioner, though the respondents 6 to 10 would state that they have no objection for the Acquisition Proceedings.

5. Considering the relief sought, all that we can say is, the Court cannot issue a positive direction compelling the Authority to acquire the particular land and it is for the Authorities to take note of the purpose for which the acquisition is required because it is the State which has to pay compensation to the land users. Hence, we cannot issue any direction in this writ petition. But however, we permit the petitioner to pursue his representation before the first respondent and if the respondents 6 to 10 are willing to join the petitioner, they may also join and give representation to the first respondent.



6. With the above observations, this Writ Petition stands disposed

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Sd/-

Assistant Registrar (CS-I)

/ /2021

Sub Assistant Registrar(CS)

kmm

*Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

1. The District Collector,  
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KB(07.07.2021) 3P 6C