



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.16049 of 2021

and

WMP(MD)No.12925 of 2021

WEB COPY

P.Sorimuthu

... Petitioner

vs.

1.The Director,
Adi Dravidar and Tribal Welfare
Department,
Chepauk, Chennai - 600 005.

2.The District Collector,
Thoothukudi District,
Thoothukudi.

3.The Revenue Divisional Magistrate
Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the third respondent in Na.Ka.No.1/8297/2020 dated 09.01.2021 and quash the same as illegal and consequently direct the respondents to hand over the petitioner's land situated in Survey No.31/2 of Virusampatti, Vilathikulam Taluk, Thoothukudi District to the petitioner within a time frame stipulated by this Court.

For Petitioner : Mr.S.Muthumalai Raja.S.
For Respondents : Mr.T.Senthilkumar,
Additional Public Prosecutor

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the impugned order dated 09.01.2021 passed by the Executive Magistrate for removal of encroachment under Section 133 of Cr.PC. When the matter was taken up for hearing, it was brought to my notice that the subject matter of the impugned proceedings is a land that was acquired by the Adi Dravidar and Tribal Welfare Department way back in the year 1990. It appears that formal possession was not taken for a long time. It is also

<https://hdsites.ecourts.gov.in/hdsites>



stated by the petitioner that he had not received any compensation therefor.

3. Since the petitioner had continued to occupy the land that was already acquired, the impugned order has been passed. No exception can be taken to the same. I find no ground to grant relief. The petitioner is of course at liberty to workout his rights in the manner known to law.

4. The writ petition stands dismissed. Connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (AR(CO))

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

skm

To

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