



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM

THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

WP.No.7023 of 2022

Sivagami

... Petitioner

Vs

1. The District Collector,
Ariyalur District,
Ariyalur.

2. The Special Tahsildar
Adi Dravidar Welfare,
Ariyalur.

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to consider the representation of the petitioner dated 27.01.2022 and release the petitioners land in Survey No. 93/12 from acquisition proceedings.

For Petitioner : Mr. K.P.P.Raja Raja Chozhan

For Respondents : Mr. M.Murali
Government Advocate

ORDER

This writ petition is filed seeking direction to the respondents herein to consider the representation of the petitioner dated 27.01.2022 and release the petitioners land in Survey No. 93/12 from acquisition proceedings.

2. The case of the petitioner is that he is the owner of the land in S.No.93/12 of Vanathirayanpattinam Village, Udayarpalayam Taluk, Ariyalur District. In the year 1999, the District Collector, Perambalur District, issued a notification under Rule 3(i) of the Tamil Nadu Harijan Welfare Scheme Acquisition Act of 1978 for allotment of some of the lands in the Vanathirayanpattinam Village for Adi Dravidar People. The petitioner's land in survey No.93/12 was also included in the



said notification along with others lands. The petitioner's land and few other lands in the same locality were also included in the said notification dated 06.03.2000 issued by the District Collector in his Gazette Special No.5 page 2 dated 06.03.2000. Aggrieved over the acquisition proceedings, few of the villagers approached this Court and filed writ petitions in W.P.Nos.4995 to 4997 of 2011. This court, vide its order dated 05.01.2017 allowed the same and quashed the impugned notification dated 06.03.2000. Challenging the said order, the Government filed writ appeals in W.A.Nos.1855 to 1857 of 2018 and the same was dismissed on 13.02.2019. Thereafter, the petitioner along with other aggrieved persons made detailed representation dated 27.01.2022 to the respondents to drop the acquisition proceedings and release the lands back to the owners and the same was not considered. Left with no other alternative remedy, the petitioner has filed the present writ petition before this Court with the above said prayer.

3. The learned counsel for the petitioner submitted that this Court may issue a directions to the respondents to consider the representation dated 27.01.2022 made by the petitioner and release the petitioner's land in S.No.92/12 from the acquisition proceeding within the stipulated time as fixed by this Court.

4. The learned Government Advocate appearing on behalf of the respondents submitted that the representation will be considered and necessary action will be taken in accordance with law.

5. Heard, the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents, and perused the materials available on record.

6. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, this Court directs the respondents to consider the representation of the petitioner dated 27.01.2022 and pass appropriate orders, after giving opportunity to the necessary parties, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Rli

Sub Assistant Registrar



To

1. The District Collector,
Ariyalur District,
Ariyalur.
2. The Special Tahsildar
Adi Dravidar Welfare,
Ariyalur.

+1cc to Mr.K.P.P.Raja Raja Chozhan, Advocate, S.R.No.23092

+1cc to the Government Pleader, S.R.No.23408

WP.No.7023 of 2022

SD(CO)
SU(21/04/2022)