



W.P.No.5160 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

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V.Venkatesh

... Petitioner

VS.

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The District Revenue Officer,
Hosur, Krishnagiri District.

3.The Tahsildar,
Taluk Office,
Thenkanikottai,
Krishnagiri District.

4.The Executive Engineer,
TNEB Mathigiri,
Hosur, Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 07.02.2015 within a stipulated period.

For Petitioner : Mr.M.P.Saravanan

For Respondents : Mr.U.Bharanidharan for RR1 to 3
Additional Government Pleader



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: Mr.C.Jai Venkatesh for R4

ORDER

This Writ Petition has been filed to direct the respondents to consider the petitioner's representation dated 07.02.2015

2.The case of the petitioner is that the petitioner is below the poverty line, carrying out agriculture in S.No.155/2, Saragappalli Village, Thankanikottai Taluk, Krishnagiri District, for the past 60 years which is classified as Pattai Poromboke. While so, the 4th respondent decided to acquire the said land to establish the sub power station. During the 2nd week of August, 2014 erected a compound bore well. When the petitioner enquired 4th respondent regarding the same, it was stated that the power station is very useful for the District people and were requested to cooperated for the same. Therefore, the petitioner along with four other persons sent a representation through registered post on 07.02.2015, requesting the respondents to issue alternative agriculture land in S.No.721, 722 instead of the land which is acquired by the 4th respondent and the same was acknowledged by the respondents on 09.02.2015 and the same is pending. Aggrieved by the same,



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the petitioner has filed this Writ Petition before this Court.

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3.Learned counsel appearing for the petitioner would submit that the petitioner is aggrieved over acquiring the said land for establishment of sub power station, which is ultimately to provide the benefit to the farmers who have land. However, this Court may issue a direction to the 3rd respondent to provide the alternative land to available in the vicinity by considering the petitioner's representation dated 07.02.2015.

4.On the above said contention, heard the learned counsels appearing for the respondents and perused the materials available on record.

5.Heard the learned counsel appearing for the petitioner and the learned counsels appearing for the respondents.

6.Considering the facts that since the petitioner himself has come forward to part with the land without any protest to the respondents,



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however, his grievance is that alternative land may be provided in view of the land in S.No.155/2, however, admittedly, no assignment of patta was granted in favour of the petitioner and therefore, claiming alternative land from the Government is not sustainable. However, the petitioner is at liberty to make appropriate application before the Government for assignment agricultural land under the relevant Scheme, if any.

7.With the above observations, this Writ Petition is dismissed. No costs.

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Index : Yes/No
Speaking Order : Yes/No
gba

To

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Thenkanikottai,
Krishnagiri District.

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4.The Executive Engineer,
TNEB Mathigiri,
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M.DHANDAPANI,J.

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