



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.12912 of 2020 and
WMP.Nos.15969 of 2020 & 484 of 2021

K.Selvarayar

...Petitioner

Vs

1. The State of Tamilnadu,
Rep. by its Secretary,
Backward Class and Most Backward Class
Welfare Department,
Fort St.George,
Chennai 600 009
2. The District Collector,
Cuddalore District,
Cuddalore
3. The District Backward Class and Most Backward Class
Welfare Officer,
Cuddalore District
4. The Special Tahsildar,
Land Acquisition,
Backward Class, Most Backward Class
and Minority Welfare Officer,
Collectorate, Cuddalore District
5. The Special Tahsildar,
Backward Class, Most Backward Class
and Minority Welfare Officer,
Virudhachalam

...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 claim of the petitioners to drop all proceedings, pertaining to petitioner's land situated in S.No.151/1, 151/2C 151/10 in A.Sithur Village, Virudhachalam Taluk, Cuddalore District and allow the petitioner to continue with his peaceful possession and enjoyment of the premises.



For Petitioner : Mr.M.Ravi

For Respondents : Mrs.D.Tamilselvi,
Additional Government Pleader

WEB COPY

ORDER

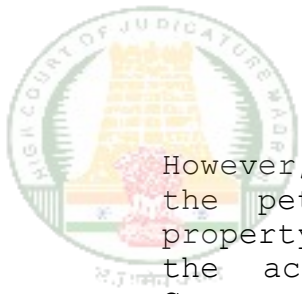
This writ petition is filed for direction directing the respondents herein to consider the claim of the petitioner to drop all proceedings pertaining to petitioner's land situated in S.No.151/1, 151/2C 151/10 in A.Sithur Village, Virudhachalam Taluk, Cuddalore District and allow the petitioner to continue with his peaceful possession and enjoyment of the premises.

2. Heard, Mr.M.Ravi, the learned counsel for the petitioner and Mrs.D.Tamilselvi, Additional Government Pleader appearing for the respondents.

3. The petitioner submitted representation to drop all the proceedings pertaining to his land situated in S.Nos.151/1, 151/2C, 151/10 in A.Sithur Village, Virudhachalam Taluk, Cuddalore District.

4. On perusal of the counter filed by the fifth respondent, revealed that to provide house sites to the most backward class people living in A.Sithur Village, Veppur Taluk, Virudhachalam Division, Cuddalore there was a proposal to acquire the subject land including other lands. Accordingly, after complying all the formalities, the subject land was acquired and the compensation amount was fixed at Rs.18,000/- per acre in award No.1 of 1996-1997 dated 08.07.1996. However, the father of the petitioner refused to receive the compensation and approached this Court in WP.No.15254 of 1996. Thereafter, the said writ petition was also dismissed by this Court. Further, the other land owner i.e. one, Ramasamy raised objections with regard to possession and title of the property and as such the authorities deposited the entire compensation amount before the District Munsif Court, Virudhachalam on 07.08.2004 as contemplated under Section 31(2) of the Land Acquisition Act, 1894. The compensation in respect of the subject land of the petitioner's father was deposited in fixed deposit to the tune of Rs.69,671/- in the State Bank of India on 07.08.2004. Thereafter, the possession of the land was also taken over and the revenue records were mutated as 'backward class natham'.

5. Therefore, the request of the petitioner cannot be considered and the writ petition is devoid of merits and liable to be dismissed. Accordingly, the writ petition is dismissed.



However, the learned counsel for the petitioner submitted that the petitioner is in very much possession in the subject property. Therefore, the petitioner is at liberty to challenge the acquisition proceedings in the manner known to law. Consequently, connected miscellaneous petitions are closed. No order as to costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

lok

To

1. The Secretary,
Backward Class and Most Backward Class
Welfare Department,
Fort St.George,
Chennai 600 009.
2. The District Collector,
Cuddalore District,
Cuddalore.
3. The District Backward Class and Most Backward Class
Welfare Officer,
Cuddalore District.
4. The Special Tahsildar,
Land Acquisition,
Backward Class, Most Backward Class
and Minority Welfare Officer,
Collectorate, Cuddalore District.
5. The Special Tahsildar,
Backward Class, Most Backward Class
and Minority Welfare Officer,
Virudhachalam.

+1cc to Government Pleader SR. No.7705

WP.No.12912 of 2020

MG (CO)
PR (23/02/2022)