

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3812 of 2016

1.K.Rajaraman

2.Devaki

3.Revathy

4.Karthikeyan

5.Pushpa

6.D.Shanthi

... Petitioners

Vs.

1. The District Collector,
Villupuram.

2. The Special Tahsildar
Adhi Dravidar Welfare Scheme,
Ulundurpettai,
Villupuram District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent dated 27.11.2015 and quash the same and further direct the respondent herein to drop the acquisition proceedings which was kept in records only against the lands situated at Pennaivalam Village, Thirukovilur Taluk in S.Nos.39/6A, 39/6B, 39/7, 39/8, 39/13, 39/B, 39/10A, 39/10C and 39/11 within the time fixed by this Hon'ble Court.

For Petitioners : M/s.R.T.Shyamala

For Respondents : Mr.G.Krishna Raja

Additional Government Pleader

O R D E R

The petitioners have filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records of the second respondent dated 27.11.2015 and to quash the same and to further direct the respondent to drop the

acquisition proceedings which was kept in records only against the lands situated at Pennaivalam Village, Thirukovilur Taluk in S.Nos.39/6A, 39/6B, 39/7, 39/8, 39/13, 39/B, 39/10A, 39/10C and 39/11, within the time fixed by this Court.

2.The learned counsel appearing for the petitioners submitted that the subject property belong to the petitioners and acquisition proceedings were initiated for allotting house sites for Adi Dravidars in the year 1996 and award was passed on 09.12.1996. The learned counsel further submitted that challenging the acquisition proceedings, writ petition in W.P.No.18755 of 1996 was filed before this Court, however, the said writ petition was dismissed by this Court during the year 2003. However, till date compensation amount was not paid to the petitioners and they are in possession of the lands. Hence, this Court may issue direction to the first respondent to disburse the compensation amount in favour of the petitioners or to re-convey the property to the petitioners.

3.The learned Additional Government Pleader appearing for the respondents submitted that already the respondents instructed the petitioners to collect the compensation amount, however, the petitioners did not receive the compensation amount and hence, the compensation amount was deposited in revenue deposit. He further submitted that appropriate compensation amount will be paid to the petitioners within the time frame that is to be fixed by this Court. He further submitted that already the property was acquired and house-site patta was granted and hence seeking re-conveyance of the property is not sustainable one.

4.Heard the arguments advanced on either side and perused the materials available on record.

5.Admittedly, the subject property belong to the petitioners and acquisition proceedings were initiated for allotting house sites for Adi Dravidars in the year 1996 and award was passed on 09.12.1996. Challenging the acquisition proceedings, writ petition was filed before this Court and the same was also dismissed. Already the respondents instructed the petitioners to collect the compensation amount, however, the petitioners did not receive the compensation amount and hence, the compensation amount was deposited in revenue deposit. Already the property was acquired and house-site patta was granted to the beneficiaries and hence seeking re-conveyance of the property is not sustainable one.

6.In view of the above, the prayer sought for in this writ petition cannot be granted. This Court directs the first respondent to disburse the compensation amount in favour of the

petitioners within a period of six weeks from the date of receipt of a copy of this order.

7.The writ petition is dismissed with the above observations. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Villupuram.
2. The Special Tahsildar
Adhi Dravidar Welfare Scheme,
Ulundurpettai,
Villupuram District.

+1cc to M/s.R.T.Shyamala, Advocate, S.R.No.35670
+1cc to the Government Pleader, S.R.No.36431

W.P.No.3812 of 2016

GJ[col]
NSK/14/07/2022