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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.30 OF 2014

1. K.Arumugam (Deceased)

2. A.Balakumar

... Petitioner

(P2 substituted as Lr of the deceased P1
vide order dated 16.04.2019 made in
W.M.P.No.12058 of 2019)

.Vs.

1. The Secretary to Government,
Department of Land Reforms,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Director of Land Reforms/
The Member Secretary,
The Tamil Nadu Bhoodan Board,
Ezhilgam, Chepauk,
Chennai - 600 005.

3. The District collector,
Tiruppur District,
Tiruppur.

4. The District Revenue Officer,
Tiruppur District,
Tiruppur.

... Respondents

(Cause Title amended for the 2nd respondent
vide order dated 24.04.2019 made in
W.M.P.No.12419 of 2019)

PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to re-convey the petitioner land at S.No.138/1 & 2, Padiyur



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Village, Kangeyam Taluk, Tiruppur District, donated under the Tamilnadu Bhoodan Yagna Act.

For Petitioner : Mr.V.Raghavachari
For Mr.MA.P.Thangavel

For Respondents : Mr.G.Nanmaran
Special Government Pleader

O R D E R

The petitioner has filed this petition seeking issuance of writ of Mandamus, directing the respondents to re-convey the petitioner land at S.No.138/1 & 2, Padiyur Village, Kangeyam Taluk, Tiruppur District.

2. The case of the petitioner is that the petitioner being an honest and patriotic citizen, on 14.01.1956, had donated tow acres of land at Paidyur Village, Kangeyan Taluk, then Coimbatore District, for the welfare of landless poor. The petitioner have landed properties at S.F.No.138/1 and 2 and also in S.No.43/1, at Padiyur Village, Kangeyan Taluk, Tiruppur District. Though two acres of property had been donated, the particulars of the land is not mentioned in the Gift Deed dated 14.01.1956. Hence, the petitioner requested the respondents to reconvey the petitioner lands at S.F.No.138/1 and 2 and for which, the petitioner is ready and willing to give back the respondents, the property in S.F.No.43/1 of the same Village, however the 2nd respondent herein had sent a rejection order dated 22.10.2013, rejecting the request of the petitioner. Aggrieved by the same, the present petition is filed.

3. The learned counsel appearing for the petitioner submitted that the 2nd respondent had sent a rejection order stating that the value of the land in S.F.NO.43/1 is low, when compared to the lands donated earlier. However, the petitioner is ready to pay the difference amount to the respondents herein. Therefore, if the liberty was granted to the petitioner while considering the representation, the petitioner shall satisfy the provision of law and also the fact that the land is equivalent to the earlier donated lands and prays for appropriate order in that regard.

4. The learned Special Government Pleader appearing for the respondents submitted that the petitioner has not mentioned the date in the representation and therefore, if the petitioner made representation to the respondents, the said representation will be considered in the manner known to law.



5. This Court has perused the entire materials and on perusal of the same, it reveals that the no date was mentioned in the representation for re-conveyance and the earlier donated lands details and therefore, the petitioner is directed to send copy of the representation along with the order copy to the 2nd respondent to pass appropriate orders. Thereafter, the 2nd is directed to consider the petitioner's representation and after hearing the petitioner shall pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of the said representation along with the order copy.

6. The Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Department of Land Reforms,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Director of Land Reforms/
The Member Secretary,
The Tamil Nadu Bhoodan Board,
Ezhilgam, Chepauk,
Chennai - 600 005.
3. The District collector,
Tiruppur District,
Tiruppur.
4. The District Revenue Officer,
Tiruppur District,
Tiruppur.

+1cc to Mr.MA.P.Thangavel, Advocate, S.R.No.7616
+1cc to the Government Pleader, S.R.No.8328

W.P.NO.30 OF 2014

SS(CO)
PBS/04/04/2022