



W.P.No.23477 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.23477 of 2022

and

W.M.P.No.22434 of 2022

1. Gunavathi
2. Vivekanandan
3. Nivetha

...Petitioners

VS.

1. The Land Reforms Commissioner,
Chepauk,
Chennai.

2. The Assistant Commissioner,
Land Reforms,
Erode.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st and 2nd respondents to consider the petitioner's representation for providing an alternative land comprised in S.No.193/1 of Semmipalayam Village, Tiruppur District within stipulated time fixed by this Court.

For Petitioners : Mr.K.Myilsamy

For respondents : Mr.U.Bharanidharan
Additional Government Pleader



ORDER

This writ petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to consider the petitioners representation for providing an alternative land comprised in S.No.193/1 of Semmipalayam Village, Tiruppur District within the stipulated time frame that may be fixed by this Court.

2. The case of the petitioners is that the second respondent initiated proceedings under the Tamil Nadu Land Reforms Act as against the holdings of one Eswaramoorthy who is the husband of the first petitioner father of the second and third petitioners. After several proceedings, the respondents declared an extent of 2.99 acres as surplus land in S.No.193/1, since there was no pathway, said Eswaramoorthy offered an alternative land to the same extent in S.No.163/1 and the same was not accepted by the respondents. While so, said Eswaramoorthy filed a Writ Petition in W.P.No.21140 of 2004 before this Court, pending which, said Eswaramoorthy died intestate, and the petitioners were brought on record and the Writ Petition was dismissed vide order dated 20.08.2019 by granting liberty to the petitioners to approach the respondents for providing



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an alternative land, pursuant to which the petitioners made an application dated 01.11.2019 before the respondents which remained unanswered. Hence, the present Writ Petition is filed seeking the aforesaid relief.

3. When the matter is taken up for hearing learned Additional Government Pleader appearing for respondents submitted that during the pendency of the present Writ Petition, the Revenue Divisional Officer, Tiruppur rejected the petitioner's claim vide order dated 20.09.2022.

4. In view of the submission made by the learned Additional Government Pleader appearing for the respondents, the prayer sought for by the petitioners in the present Writ Petition becomes infructuous. This Court grants liberty to the petitioners to work out their remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

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RAP

Index : Yes/No

Speaking order : Yes/No



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To

1. The Land Reforms Commissioner,
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Chennai.
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M.DHANDAPANI, J.

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