



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos. 34023, 34024 and 34025 of 2014
and M.P.Nos.1,1,1 of 2014 and M.P.Nos.1,1,1 of 2015

W.P.No.34023 of 2014:-

A.Elumalai

W.P.No.34024 of 2014:-

A.Dharmalingam

W.P.No.34025 of 2014:-

E.Kannaki

... Petitioners

-Vs-

1. The District Collector,
Villupuram District,
Villupuram.

2. The Tahsildar,
Thirukovilur Taluk,
Villupuram District.

3. The Special Tahsildar (ADW),
Land Acquisition,
Ulundurpet,
Villupuram District.

4. The Village Administrative Officer,
Vengur Village,
Thirukovilur Taluk,
Villupuram District.

... Respondents (In all W.Ps)

Prayer in W.P.No.34023 of 2014:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbear the respondents from interfering with the peaceful possession of the property situated in Survey No.345/2 and Survey No.344/4 of Vengur Village, Thirukovilur Taluk, by the petitioner.



Prayer in W.P.No.34024 of 2014:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbear the respondents from interfering with the peaceful possession of the property situated in Survey No.344/6 and Survey No.344/4 of Vengur Village, Thirukovilur Taluk, by the petitioner.

Prayer in W.P.No.34025 of 2014:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbear the respondents from interfering with the peaceful possession of the property situated in Survey No.344/5 of Vengur Village, Thirukovilur Taluk, by the petitioner.

For All W.Ps

For Petitioners : Mr.K.S.Viswanathan

For Respondents : Mr.G.Ameedius
Government Advocate

COMMON ORDER

These Writ Petitions have been filed for the issuance of Writ of Mandamus, forbearing the respondents from interfering with the peaceful possession of the petitioners' properties situated at Vengur Village, Thirukovilur Taluk.

2. Heard Mr.K.S.Viswanathan, learned counsel appearing for the petitioners and Mr.G.Ameedius, learned Government Advocate appearing for the respondents.

3. The petitioner's father owned properties comprised in Survey Nos.345/2, 344/6, 344/4, 344/5 situated at Vengur Village, Thirukovilur Taluk. In the year 1995, the third respondent issued notice under Section 5(A) of the Land Acquisition Act, 1894 to acquire the said lands. The petitioners' father attended the enquiry under Section 5(A) and raised objections in the acquisition proceedings and requested the third respondent to drop the proceedings. Thereafter, the petitioners' father did not receive any Declaration under Section 6 of the Land Acquisition Act, 1894 nor given any notice for Award enquiry. He died on 23.09.1996.

4. Thereafter, the petitioners have inherited the subject properties and they are in possession and enjoyment of the subject properties by cultivation of agricultural crops. However, on 19.11.2014, the second respondent issued notice to the petitioners for enquiry to be conducted on 24.11.2014 on the complaint lodged by the residents of Puthuvengur village, alleging that even after issuing the house site patta in their



favour, they were not given actual possession of the land which were allotted in their favour for the past several years. The petitioners appeared for the enquiry and produced documents to show that they are in possession and enjoyment of the subject properties. Hence, these writ petitions are filed forbearing the respondents from interfering with the peaceful possession of the petitioners' properties.

5. A perusal of the counter filed by the third respondent revealed that the land acquisition proceedings have been initiated for providing house sites to the poor Adidraavidars of Vengur Village, Tirukovilur Taluk, Villupuram District in respect of the following lands,

R.S.No.	344/3	Govt.Dry	0.13.5	hectare
	344/4	Govt.Dry	0.13.0	hectare
	344/5	Govt.Dry	0.12.0	hectare
	344/6	Govt.Dry	0.22.5	hectare
	345/1	Govt.Dry	0.21.5	hectare
	345/2	Govt.Dry	0.23.5	hectare
		Total	1.05.5	hectare

6. After completion of acquisition proceedings, Award has been passed under Act 31/78 in Award No.11/95-96 on 26.03.2003. Thereafter, the free house site pattas have been issued to the beneficiaries as early as on 08.11.2003. Since, the land owners did not come forward to receive the compensation amount, the entire compensation amount has been remitted under the Revenue Deposit on 30.03.1996 itself in the State Bank of India, Tirukovilur in Chalan No.1994 and Chalan No.1997. Thereafter, the revenue records have been mutated in the name of Adhidraavidar Colony Natham.

7. In view of the above, the writ petitions are devoid of merits and are liable to be dismissed. Accordingly, these writ petitions are dismissed. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Villupuram District,
Villupuram.

2. The Tahsildar,
Thirukovilur Taluk,
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KSM(CO)
SB(11/02/2022)