



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.3330 of 2022

R.Vilvalingam

.. Petitioner

Vs.

- 1.The Secretary to Government
Government of Tamilnadu (Adhi
Dravidar and Schedule Tribes Welfare Department),
St. George Fort,
Chennai.
- 2.The District Collector,
Ramanathapuram District.
- 3.The District Revenue Officer (DRO)
Ramanathapuram.
- 4.The Revenue Divisional Officer (RDO)
Paramakudi.
- 5.The Tahsildar,
Kadaladi,
Ramanathapuram District.
- 6.The District Adhi Dravidar and
Schedule Tribes Welfare Officer,
Ramanathapuram.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to take suitable follow-up action based on the representation of the petitioner dated 10/09/2021, for formally accepting the alternative site in lieu of the acquired site and passing suitable orders in this regard as a follow-up measure.

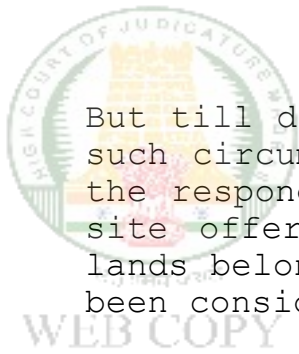
For Petitioner : Mr.S.Manikandan

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to take suitable follow up action based on the representation of the petitioner dated 10.09.2021, for formally accepting the alternative site in lieu of the acquired site and pass orders, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that originally S.Nos.158/3B and 159/2 measuring a total extent of 89 cents at Karungulam Village, Kadaladi Taluk, Kadaladi Revenue District, Ramanathapuram District were acquired for the purpose of issuing patta to the landless poor. The said land belongs to the petitioner. Thereafter, the petitioner has offered an alternative site to the respondent, which according to the petitioner was accepted by the Revenue authorities and also by the beneficiaries.



But till date no formal orders have been passed to that effect. In such circumstances, he has given a representation on 10.09.2021, to the respondents to pass formal orders for accepting the alternative site offered for acquisition in place of the originally acquired lands belonging to the petitioner. Since the representation has not been considered till date, he has filed this writ petition.

3.Heard Mr.R.Sundar Srinivasan, learned counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4.By consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

5.The petitioner has filed along with the writ petition the orders passed by the District Revenue Officer accepting the alternative site offered by the petitioner in place of the originally acquired lands. He has also filed other documents / orders in support of his case.

6.No prejudice would be caused to the respondent, if the petitioner's representation dated 10.09.2021, is considered on merits and in accordance with law, within a time frame to be fixed by this Court, after affording a fair hearing to the petitioner and beneficiaries, who according to the petitioner, have already given their No Objection for accepting the alternative site offered by the petitioner.

7.Accordingly, this Court directs the 6th respondent to consider the petitioner's representation dated 10.09.2021, requesting the 6th respondent to pass formal orders, with regard to the acceptance of the alternative site provided by the petitioner in lieu of the acquired site and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the beneficiaries, within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the aforesaid directions, this writ petition is disposed of. No costs.

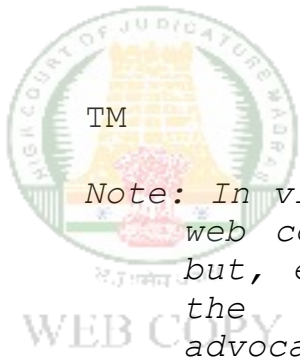
Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Secretary to Government
Government of Tamilnadu (Adhi
Dravidar and Schedule Tribes Welfare Department),
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Chennai.
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- 6.The District Adhi Dravidar and
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Ramanathapuram.

+1CC to M/s.R.SUNDAR SRINIVASAN, Advocate (SR-7884[F] dated 22/02/2022)

+1 CC to M/s.SPL GP (SR-8040[F] dated 23/02/2022)

**ORDER MADE IN
W.P (MD) .No.3330 of 2022
22.02.2022**

PKP/08.03.2022/3P/9C