



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4940 of 2022

WEB COPY

1.P.R.K.A.Leonard Harihara Pandian
2.A.Sumathi
3.A.Kamini
4.A.Banu

... Petitioners

Vs.

1.The District Collector,
Velu Nachiyar Valaham,
Dindigul,
Dindigul District.

2.The District Revenue Officer,
Dindigul,
Dindigul District.

3.The Revenue Divisional Offcier,
Dindigul,
Dindigul District.

4.The Tahsildar,
Dindigul District,
Dindigul.

5.The Chief Conservator of Forest,
Dindigul Circle,
Dindigul,
Dindigul District.

6.The District Forest Officer,
Dindigul Division,
Dindigul,
Dindigul District.

7.The Village Administrative Officer,
Village Administrative Office,
Sirumalai - Palayoor - 624 003.
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pay appropriate compensation within a reasonable time period to be fixed by this Court towards our lands in Survey No.148/1 admeasuring 48 cents in Sirumalai Village, Dindigul East Taluk, Dindigul District that had been taken over by the Government from us without



any due process in the light of our representation dated 11.01.2022.

For Petitioner	: Mr.N.Dilip Kumar
For Respondents	: Mr.P.Thilak Kumar
	Government Pleader

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O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pay appropriate compensation within a reasonable period to be fixed by this Court in respect of the petitioners' lands in Survey No.148/1 admeasuring 48 cents in Sirumalai Village, Dindigul East Taluk, Dindigul District, that has been taken over by the Government without due process of law in the light of the petitioners representation dated 11.01.2022 within a time frame to be fixed by this Court.

2.It is the case of the petitioners that they are the absolute owners of the aforementioned property but however, the said property has been acquired by the Government without payment of compensation to the petitioners and a forest bungalow has also been constructed. The petitioners have given a representation dated 11.01.2022 seeking for compensation. Since the said representation has not been considered till date, the petitioners have filed this writ petition.

3.Heard Mr.N.Dilip Kumar, learned Counsel appearing for the writ petitioner and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents.

4.On instructions, learned Government Pleader would submit that subject lands are classified as forest lands and therefore, compensation cannot be paid to the petitioners as sought for in their representation.

5.However, it is the contention of the learned Counsel for the petitioner that the petitioners are the absolute owners of the aforementioned property by virtue of the following documents:

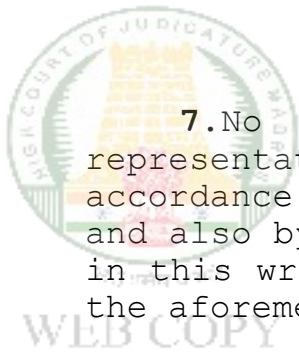
'a) Sale deed in the name of the petitioners' father dated 27.02.1975.

b) Village Settlement Chitta No.151 in the name of the petitioners' father's vendor Padma dated 30.09.2019.

c) Village Settlement Chitta No.151 in the name of the petitioners' father's vendor Padma dated 07.07.2021.

d) Village "A" Register dated 13.12.2021.'

6.It is for the respondents to consider the aforementioned documents on merits and in accordance with law after affording a fair hearing to the petitioner.



7.No prejudice would be caused to the respondents if the representation of the petitioners is considered on merits and in accordance with law after affording the petitioners a fair hearing and also by considering the documents relied upon by the petitioners in this writ petition to claim that they are the absolute owners of the aforementioned property.

8.Accordingly, this Court directs the first respondent to consider the petitioners' representation dated 11.01.2022 seeking compensation for the lands which they claim that they are the absolute owners and have been wrongly acquired by the Government which falls in Survey No.148/1 admeasuring 48 cents in Sirumalai Village, Dindigul East Taluk, Dindigul District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioners including granting them the right of personal hearing within a period of three [3] months from the date of receipt of a copy of this order.

9.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

- 1.The District Collector,
Velu Nachiyar Valaham,
Dindigul,
Dindigul District.
- 2.The District Revenue Officer,
Dindigul,
Dindigul District.
- 3.The Revenue Divisional Offcier,
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- 4.The Tahsildar,
Dindigul District,
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Dindigul District.

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Village Administrative Office,
Sirumalai - Palayoor - 624 003.
Dindigul District.

+1 CC to M/s.SPL GP (SR-13492[F] dated 22/03/2022)

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-13637[F] dated 22/03/2022)

W.P.[MD]No.4940 of 2022
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NSN(CO)
KB(05.04.2022) 4P 10C