



W.P(MD)No.13598 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13598 of 2022

and

W.M.P.(MD)No.9663 of 2022

Gurusamy

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Special Tahsildar, (L.A.),
Adhi Dravidar and Scheduled Tribe
Welfare Department,
Tenkasi District.

3.The Block Development Officer,
Kadayanallur,
Tenkasi District.

4.The Principal Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai.

... Respondents

*(R4 is impleaded vide order dated 24.08.2022 in
W.M.P.(MD)No.12216 of 2022 in
W.P.(MD)No.13598 of 2022 by GRSJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the respondents to



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release the petitioners land admeasuring 11 cents in S.No.124/1A and 124/19A at Kambaneri Pudukudi Part-I Village, Kadayanallur Taluk, Tenkasi District acquired for laying the road to Burial Ground that was about to be formed, since the formation of burial ground itself was dropped by the respondents and reconvey the same to the petitioner.

For Petitioner : Mr.V.Karthikeyan

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader for R1 & R2.
Mr.M.Siddharthan,
Addl. Government Pleader for R3 & R4.

ORDER

Heard the learned counsel on either side.

2.The petitioner's land was acquired for forming a road to access to a burial ground. The burial ground was meant for use of Adi Dravidar community persons. Subsequently, the proposal was passed dropped and the burial ground as originally proposed was not located. The purpose of acquiring the petitioner's land was only to form a pathway to access the said burial ground. The purpose for which the petitioner's land was acquired itself lost its meaning. It is stated that a sum of Rs.205/- was deposited as compensation.



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3.In these circumstances, the impleaded fourth respondent is directed to authorise the Special Tahsildar to reconvey the petition mentioned property to the writ petitioner. The entire process shall be completed within a period of sixteen weeks from the date of receipt of a copy of this order.

4.The writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

01.09.2022

Index : Yes / No
Internet : Yes/ No
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To:

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Adhi Dravidar and Scheduled Tribe
Welfare Department,
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G.R.SWAMINATHAN, J.

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