



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.18329 of 2021

R.Sarojini Devi

... Petitioner

**Vs.**

1.The District Collector,  
Tirunelveli.

2.The District Revenue Officer,  
Tirunelveli.

3.The Special Tahsildar,  
Aadhi Dravidar Welfare,  
Palayamkottai,  
Tirunelveli.

...Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to reconvey the land owned by the petitioner, situated in Sy.No.24/1 to the extent of 1 acre 20 cents, which is part of the property in the land acquisition proceedings initiated by the respondents in the year of 1997 under the Tamil Nadu Act 31 of 1978 by considering the petitioner's representation dated 23.09.2021.

|                 |   |                                                   |
|-----------------|---|---------------------------------------------------|
| For Petitioner  | : | Mr.A.Balakrishnan                                 |
| For Respondents | : | Mr.D.Sasikumar,<br>Additional Government Pleader. |

**ORDER**

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to re-convey the land owned by the petitioner situated in Survey No.24/1 measuring an extent of 1 acre and 20 cents which is part of the property in the land acquisition proceedings initiated by the respondents in the year 1997 under the Tamil Nadu Act 31 of 1978 by considering the petitioner's representation dated 23.09.2021 within a time frame to be fixed by this Court.



2. According to the petitioner, she was the owner of the aforementioned land which was acquired by the respondents by initiating land acquisition proceedings in the year 1997 under the Tamil Nadu Act 31 of 1978. Though the proceedings were initiated, till date, the respondents have not taken possession of the land and no further steps have been taken pursuant to the land acquisition notification. It is also the contention of the petitioner that the revenue records still stand in the name of the petitioner. In such circumstances, she has given a representation on 23.09.2021 to the respondents requesting them to re-convey the land to her. Since the said representation has not been considered till date, she has filed this Writ Petition.

3. It is also submitted by the learned counsel for the petitioner that the lands were acquired from the petitioner for a special scheme meant for Harijan welfare, but the said scheme has now been dropped.

4. Heard Mr.A.Balakrishnan, learned counsel for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5. No prejudice would be caused to the respondents, if the petitioner's representation, referred to supra, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner including granting her the right of personal hearing.

6. Accordingly, this Court directs the first respondent to consider the petitioner's representation dated 23.09.2021 requesting the first respondent to re-convey the land situated in Survey No.24/1 measuring an extent of 1 acre and 20 cents in Panayakulam Village, Palayamkottai, which is part of the property in the land acquisition proceedings initiated by the respondents in the year 1997 under the Tamil Nadu Act 31 of 1978 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting her the right of personal hearing, within a period of four (4) months from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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



To

1.The District Collector,  
Tirunelveli.

2.The District Revenue Officer,  
Tirunelveli.

3.The Special Tahsildar,  
Aadhi Dravidar Welfare,  
Palayamkottai,  
Tirunelveli.

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate ( SR-14445[F] dated  
25/03/2022 )

+1 CC to M/s.SPL GP ( SR-14527[F] dated 25/03/2022 )

**W.P. (MD) .No.18329 of 2021**  
**24.03.2022**

MGJ(05.04.2022) 3P 6C