



W.P.No.2069 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No. 2069 of 2023

N.Dharmaraj

.. Petitioner

Versus

1.The Chief Secretary
Government of Tamil Nadu
Secretariat, Fort St.George
Chennai

2.The District Collector
Namakkal
Namakkal District

3.The District Revenue Officer
District Revenue Office
Namakkal District

4.Periyamanali Village Panchayat
Rep by its President
Periyamanali Village Panchayat Office
Periyamanali Village
Tiruchengode
Namakkal District

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to reconvey/return the land measuring to an extent of one cent gifted by the petitioner to the fourth



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respondent vide gift deed in document No.2610 of 2021 dated 13.12.2021 on the file of SRO, Velagoundampatti in Old Survey No.353/8A and new Survey No. 353/8A, based on the petitioner's representation dated 22.09.2022.

For Petitioner : Mr.R.Suresh Kumar
for M/s.K.M.Vijayan Associates

For Respondents : Mr.N.Naveen Kumar for R1 to R4
Government Advocate

ORDER

This Petition has been filed seeking to direct the respondents to re-convey/return the land measuring to an extent of one cent gifted by the petitioner to the fourth respondent vide gift deed in document No.2610 of 2021 dated 13.12.2021 on the file of SRO, Velagoundampatti in Old Survey No.353/8A and new Survey No. 353/8A, based on the petitioner's representation dated 22.09.2022.

2. According to the writ petitioner, one cent of land was gifted to the fourth respondent for construction of Water tank for the benefit of the village. However, the water tank has been constructed in some other place and the gifted land has not been utilised. Hence, seeks directions to re-convey/return the land to the petitioner.

3. The learned Government Advocate, on instructions, filed a report



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of the fourth respondent admitting that the land was gifted by the petitioner for the sole purpose of construction of water tank, since, the land gifted is not suitable for construction of the water tank, they decided to construct the water tank to some other place. However, the fourth respondent has no objections to re-convey the gifted land to the petitioner.

4. Such view of the matter, as the gifted land is not utilised and the fourth respondent has no objections to re-convey the property to the petitioner. Therefore, the fourth respondent is directed to re-convey the property to the petitioner and the petitioner shall bear the registration charges. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this Order.

5. With the above directions, this writ petition stands disposed of. No costs.

01.02.2023

dhk

Index : Yes / No

Speaking Order : Yes / No

N.SATHISH KUMAR, J.

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To

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