



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.5287 of 2018

K.Madhaiyan

... Petitioner

Vs.

1 The District Collector
Dharmapuri District, Dharmapuri.

2 The Special Tahsildar
(Adidraavidar Welfare) Land Acquisition
Dharmapurai Town, Dharmapuri.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari to Call for the records in Na.Ka.No.163/17/A, dated 09.03.2017, on the file of the 2nd respondent and quash the same.

For Petitioner : M/s.S.Sasikala

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue a writ of Certiorari to Call for the records in Na.Ka.No.163/17/A, dated 09.03.2017, on the file of the 2nd respondent and quash the same.



2. The contention of the petitioner is that his lands were acquired for distribution among landless Adhidraavidar people as per the notification dated 10.09.1991. However, till date, the lands have not been put to use. The petitioner made a representation on 07.03.2017 for return of the lands and also expressed his intention to return back the compensation amount received by him. Subsequently, the 2nd respondent sent the impugned letter stating that the lands were acquired for allotting to the Adidraavidar people and accordingly, free patta were issued to the beneficiaries and now the beneficiaries have constructed houses and they are in the possession of the property, whereas, the lands are still kept vacant and there is no construction. Therefore, the impugned letter dated 09.03.2017 has to be quashed and the lands have to be re-conveyed to the petitioner.

3. The learned Additional Government Pleader submitted that the lands were allotted to the beneficiaries and the free house site patta were also granted to them. Further, mutation also taken place in the name of the beneficiaries. Therefore, the petitioner is not entitled to get back the lands.

4. Heard and perused the materials available on record.



5. It is seen that already patta has been granted to the beneficiaries and mutation of records have also taken place. Even the recitals in the impugned order shows that the lands were allotted to the beneficiaries who have constructed houses and reside in their respective houses. Therefore, this court does not find any perversity in the impugned order. Therefore, there is no merit in the present petition.

6. Accordingly, this Writ Petition is dismissed. There shall be no order as to the costs.

15.12.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

- 1 The District Collector
Dharmapuri District, Dharmapuri.
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P.VELMURUGAN. J.

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