



W.A.No.1425 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.A.No.1425 of 2023

A.L.Saravanakumar

.. Appellant

Vs.

1. The State of Tamil Nadu
Rep. by the Secretary to Government
Social Welfare Department
Fort St. George, Chennai – 600 009.

2. The District Collector
Coimbatore.

3. The Special Tahsildar (A.D.W)
Pollachi.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order in W.P.No.27992 of 2005 dated 08.07.2019.

For the Appellant : Mr.A.Sivaji

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader
for R1 to R3



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JUDGMENT
(Delivered by the Hon'ble Chief Justice)

The present appeal is filed against the judgment and order dated 08.07.2019 in W.P.No.27992 of 2005.

2. In the said writ petition, the petitioner therein was assailing the provisions of Sections 7(2) and 12 of the Tamil Nadu Act 31 of 1978 as illegal and unconstitutional.

3. The learned Single Judge observed that the said Act has already been upheld by the Apex Court in the case of *State of Tamil Nadu and Ors. Vs. Ananthi Ammal and Ors.* reported in (1995) 1 SCC 519. In the light of that, the learned Single Judge has not committed any error.

4. Learned counsel for the appellant submits that, now, after the judgment is delivered by the learned Single Judge on 08.07.2019, the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978 has been amended and the appellant is entitled for the benefit of the same.

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5. The present appeal is challenging the judgment of the learned Single Judge. The same was not the contention before the learned Single Judge. Hence, the same cannot be raised in the present matter.

6. In case the appellant has any right under the amendment, the appellant may raise his grievance before appropriate forum, through appropriate proceedings.

7. The writ appeal, as such, is dismissed. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)
07.07.2023

Index : Yes/No

Neutral Citation : Yes/No

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To

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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKESSAVALU, J.

(drm)

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