



W.P.Nos.17964, 17965, 17966 & 19635 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **21.12.2023**

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.Nos.17964, 17965, 17966 and 19635 of 2018

1.E.Varadha Pillai

2.E.Narasimman

Represented by his Power of Attorney

Thiru.K.Chidambaram

... Petitioner in

(W.P.No.19635 of 2018)

K.Shanmuga Pandiyan

Represented by his Power of Attorney

Thiru.K.Chidambaram

... Petitioner in

(W.P.No.17964 of 2018)

D.Rajendran

Represented by his Power of Attorney

Thiru.K.Chidambaram

... Petitioner in

(W.P.No.17965 of 2018)

M.Sowrirajan

Represented by his Power of Attorney

Thiru.K.Chidambaram

... Petitioner in

(W.P.No.17966 of 2018)

Versus

1.The Secretary to Government,

Adi-Dravidar and Tribal Welfare Department,

Secretariat, Fort St.George,

Chennai – 600 009.

2.The Secretary to Government,

Revenue Department,

Secretariat, Fort St.George,

Chennai – 600 009.



W.P.Nos.17964, 17965, 17966 & 19635 of 2018

3. The Special Thasildar,
Land Acquisition,
Adi-Dravidar Welfare Department,
Chengalpattu,
Kancheepuram.

... Respondents in
(in all W.Ps)

COMMON PRAYER : Writ Petitions are filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first Respondent herein to consider the Petitioners individual representations dated 21.09.2017.

For Petitioners : Mr. K.Rajasekaran
(in all W.Ps)

For Respondents : Mr. R.Ramanlaal
(in all W.Ps) Additional Advocate General
: Assisted by Mr.Yogesh Kannadasan
Special Government Pleader

COMMON ORDER

All these Writ Petitions have been filed to direct the first respondent to consider the petitioners' individual representations dated 21.09.2017.

2. Since the issue raised by the petitioners is one and the same, these Writ Petitions are taken up together for joint disposal by this common order.



W.P.Nos.17964, 17965, 17966 & 19635 of 2018

WEB COPY

3. The claim of the petitioners is that the possession of the land had not been taken and that the land has not been utilized for the purpose for which, it was acquired by the respondents. The petitioners are the subsequent purchasers. Since the land has not been utilized for the purpose, for which, it was acquired, the land may be re-conveyed to them.

4. The learned Additional Advocate General appearing for the respondents has submitted that the possession has already been taken on 08.11.2000 itself as per Land Delivery Receipt. An Award was passed Vide Award No.5/93 (Ref.A.806/88A) dated 11.01.1993 and the amount has also deposited before the Sub-Court, Poonamallee in this office reference Rc.No.808/86A, dated 18.05.1993. Further, he submitted that the total extent of 2.21.0 Hectares of land in Malaiyampakkam Village has been acquired only to allot house sites to the landless poor people of Adi Dravidar community and the petitioners are only subsequent purchasers. The original owners of the land had already approached this Court, challenging the acquisition proceedings at the eleventh hour and after fully aware of all things, original owners sold the property to the petitioners. The petitioners also know the acquisition proceedings and still



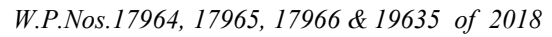
W.P.Nos.17964, 17965, 17966 & 19635 of 2018

they purchased the property. Therefore, the petitioners are not bona-fide purchasers or innocent purchasers.

5. Heard the learned counsel for the petitioners and the learned Additional Advocate General appearing for the respondents and perused the materials available on record.

6. Since the possession of the land has already been taken, the Award amount has also been deposited before the Civil Court and the land is proposed to be utilized for allotment of house sites to the landless poor people of Adi Dravidar Community, the individual representations of the petitioners' all dated 21.09.2017 cannot be considered. The petitioners are only subsequent purchasers.

7. As rightly contended by the learned Additional Advocate General appearing for the respondents, the original land owners had already approached this Court challenging the acquisition proceedings at the eleventh hour and now the possession has been taken away on 08.11.2000 itself. The Award amount has been deposited before the Civil



8. With the above observations, the Writ Petitions are dismissed.

21.12.2023

Speaking order : Yes/No

klt

To:

1. The Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Fort St. George, Chennai – 600 009.
2. The Secretary to Government,
Revenue Department,
Secretariat, Fort St. George, Chennai – 600 009.
3. The Special Thasildar,
Land Acquisition,
Adi-Dravidar Welfare Department,
Chengalpattu, Kancheepuram.



WEB COPY



W.P.Nos.17964, 17965, 17966 & 19635 of 2018

P. VELMURUGAN, J.

klt

W.P.Nos.17964, 17965, 17966 and 19635 of 2018

21.12.2023