



WP(MD)No.16019 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **05.10.2023**

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THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.16019 of 2020

M.Sethupathy

...Petitioner

/Vs./

- 1.The Secretary to Government,
Revenue Dept.,
Govt. of Tamil Nadu,
St.George Fort, Chennai-09
- 2.The District Revenue Officer,
Madurai Revenue District,
Madurai
- 3.The Revenue Divisional Officer,
Madurai Revenue District, Madurai.
- 4.The Secretary,
Thiyagarajar College Endowment Trust,
Thiyagarajar College,
Thiruparankundram, Madurai.
- 5.Authorized Signatory,
Manickavasagam Charitable Foundation Trust,
Madurai.

...Respondents



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PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dt. 06.10.2020 for re-conveyance of the property in Survey No.658/3 correlated with survey No.658/2 Avaniyapuram Village, Madurai South Taluk in favour of the petitioner.

For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mr.K.S.Selvaganesan (R1 to R3)

Additional Government Pleader

Mr.M.E.Elango (R4 & R5)

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the first respondent to consider the representation made by the petitioner on 06.10.2020, wherein the petitioner has sought for reconveyance of the subject property in favour of the petitioner.

2. Heard Mr.J.Jeyakumaran, learned counsel for the petitioner, Mr.K.S.Selvaganesan, learned Additional Government Pleader for the respondents 1 to 3 and Mr.M.E.Elango, learned counsel for the fourth and fifth respondents.



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3. It is brought to the notice of this Court that the subject property was acquired as early as in the year 1964 under the Land Acquisition Act, 1894.

After acquisition, the land was also handed over to the fourth respondent college. The petitioner had already filed a writ petition before this Court in WP(MD)No.10497 of 2009 challenging the order of the second respondent issuing patta. This writ petition was dismissed as withdrawn by this Court by order dated 14.03.2019. Even at that point of time, if really the petitioner had any right to seek for reconveyance, the same could have been done. However, pursuant to the dismissal of the writ petition, the petitioner has now come up with a new claim seeking for reconveyance.

4. In the considered view of this Court, the petitioner does not have legal right to seek for reconveyance of the property, since the acquisition had taken place many decades back and the acquired land has also been handed over to the fourth respondent to run the college. Hence, this Court finds that there is no merit in this writ petition. Accordingly, this writ petition stands dismissed. No costs.

05.10.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No



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N.ANAND VENKATESH, J.

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TO:

- 1.The Secretary to Government,
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Govt. of Tamil Nadu,
St.George Fort, Chennai-09
- 2.The District Revenue Officer,
Madurai Revenue District,
Madurai
- 3.The Revenue Divisional Officer,
Madurai Revenue District, Madurai.

Order made in
W.P.(MD)No.16019 of 2020

Dated:
05.10.2023