



W.P.(MD)No.17102 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.12.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.17102 of 2021

D.Allwyn Antony

... Petitioner

Vs

1.The Government of Tamil Nadu
Rep. by its Secretary,
Land Acquisition Department,
St.Fort George, Chennai.

2.The District Collector,
Tirunelveli District Collector Office,
Tirunelveli District.

3.The Registrar,
Manonmaniam Sundaranar University,
Abisekapuram, Tirunelveli District

4.The Registrar
Madurai Kamarajar University,
Palkalai Nagar,
Madurai - 625 021.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to quash and call for all the proceedings of the 2nd respondent OM J2/13169/2021 dated



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27-04-2021 and to direct the Respondents to return back the un-utilized land comprised in survey numbers 33/5 and 34/1 extent of 2 acres and 67 cents in the Palayamchettikulam Village, Palayamkottai Taluk, Tirunelveli District to the petitioner and legal heirs of the Late Nallaiya Nadar within a time stipulated by this Court

For Petitioner : Mr.D.Vijay Antony

For R-1 & R-2 : Ms.D.Farjana Ghoushia,
Special Government Pleader

For R-3 : Mr.Mohammed Imran
for M/s.Ajmal Associates

For R-4 : Mr.T.Cibichakraborty

ORDER

This Writ Petition has been filed challenging the proceedings of the second respondent dated 27.04.2021 and for a further direction to the respondents to return back the un-utilized land to the petitioner and the other legal heirs of late Nallaiya Nadar.

2. Heard the learned counsel on either side.

3. The case of the petitioner is that his grandfather was the owner of the subject properties. The properties were acquired along with a



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larger extent of properties for establishing the Madurai Kamaraj University. According to the petitioner, the third respondent was holding on to the property and it was not utilized and hence, the petitioner made a representation to the second and third respondents to return back the un-utilized land. The second respondent through impugned proceedings dated 27.04.2021 rejected the claim made by the petitioner. Aggrieved by the same, the present Writ Petition has been filed before this Court.

4. In the considered view of this Court, the petitioner does not have any legal right to seek for returning the un-utilized land in the subject properties. The impugned order passed by the second respondent reveals that the property was sold in favour of the Madurai Kamaraj University for valuable consideration and therefore, there is no question of reconvening the land on the ground that it was not utilized. There is no illegality in the impugned order passed by the second respondent dated 27.04.2021 and it does not warrant any interference. That apart, the petitioner also lacks the legal right to seek for reconveyance.



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5. In the result, the Writ Petition stands dismissed. No costs.

07.12.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

1.The Secretary,
the Government of Tamil Nadu
Land Acquisition Department,
St.Fort George, Chennai.

2.The District Collector,
Tirunelveli District Collector Office,
Tirunelveli District.



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N.ANAND VENKATESH, J.

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