



W.P.(MD).No.16825 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.11.2023

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.16825 of 2021

S.Ramakrishnan

... Petitioner

Vs.

1.The Sub Collector,
Paramakudi,
Ramanathapuram District.

2.The Executive Engineer and
Administrative Officer,
Ramanathapuram Housing Unit,
Tamil Nadu Housing Board,
Ramanathapuram,
Ramanathapuram District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents herein to reconvey the petitioner's land comprised Survey No.536/9B measuring an extent of 42.5 cents situated at Sunthanenthal Village, Kamuthakudi Group, Paramakudi Taluk, Ramanathapuram District, having patta No.1232 by considering the petitioner's representation dated 29.07.2021 within the time stipulated by this Court.



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For Petitioner : Mr.A.R.Kannappan

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of a writ of Mandamus directing the respondents to reconvey the land belonging to the petitioner by considering the representation, dated 29.07.2021.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. It is seen from the records that the acquisition proceedings had taken place in the year 1994 and the compensation amount was also paid to the petitioner. According to the petitioner, the lands have not been put to use by the Housing Board and therefore, the petitioner has sought for re-conveyance of the land under Section 48(B) of the Land Acquisition Act, 1894.

4. In the considered view of this Court, the land has already vested with the Housing Board and therefore, the Government has lost its right



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to consider the reconveyance under Section 48B of the said Act, once the land is handed over to the Housing Board, unless the Government has forfeited the land as provided under 16B of the said Act and has taken back the possession. Useful reference can be made to the judgment of the Hon'ble Division Bench of this Court in the case of the ***Managing Director, Tamil Nadu Housing Board, Chennai-600 035 vs. S.Gajendran and another***, reported in ***(2010) 3 MLJ 643***.

5. In view of the above, the relief sought for by the petitioner cannot be granted by this Court.

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

07.11.2023

Index : Yes/No
Internet : Yes/No
ssb



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N.ANAND VENKATESH.J.,

ssb

**Order made in
W.P.(MD).No.16825 of 2021**

**Dated :
07.11.2023**