



W.P.(MD)No.5191 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.5191 of 2016

Alagammal

... Petitioner

versus

1. The Principal Secretary to
the Government of Tamil Nadu,
Revenue Department,
Fort St. George,
Chennai.
2. The Director of Land Reforms,
Ezhilagam, Chepauk,
Chennai.
3. The Chairman,
Tamil Nadu Bhoodan Yagna Board,
Chennai – 5.
4. The District Collector,
Dindigul District,
Dindigul.



W.P.(MD)No.5191 of 2016

5. The District Revenue Officer,
Dindigul,
Dindigul District.

6. The Tahsildar,
Vedasandur Taluk,
Dindigul District.

7. The Boodhan Inspector,
Dindigul District,
Dindigul

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents to re-convey the landed property of the petitioner comprised in Survey No.532/2, Re-Survey No.532/2B measuring an extent of 1 Acre (0.04.5 hectare) situated at E.Chittoor Village, Vedasandur Taluk, Dindigul District which was acquired by the respondents under the Tamil Nadu Boodhan Yagna Act, 1958 by considering the petitioner's representation dated 29.12.2015 within the time frame as fixed by this Court.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.A.Kannan
Additional Government Pleader



WEB COPY



W.P.(MD)No.5191 of 2016

ORDER

The petitioner is the wife of Late.Rengasamy, adopted son of Subbiah Gounder. The property in Survey No.532/2 situated at E.Chittoor Village, Vendasandur Taluk, Dindigul District, was owned by Subbiah Gounder and the same was allotted for Bhoodan movement, for the landless poorer. She claims that the said land was acquired for Bhoodan movement in the year 1972, but, it was not utilized so far and it is still in her possession and she is also doing agricultural work. Therefore, she made a representation to the second respondent requesting to reconvey the landed property, who in turn, directed the 4th respondent to submit a report. Again, she made another representation dated 29.12.2015 to the respondents requesting to reconvey the landed property to her. Since there was no response, she filed this writ petition for a Mandamus, directing the respondent to reconvey the landed property in Survey No.532/2, Re-Survey No.532/2B measuring an extent of 1 Acre (0.04.5 hectare) situated at E.Chittoor



W.P.(MD)No.5191 of 2016

Village, Vendasandur Taluk, Dindigul District, based on her representation dated 29.12.2015.

2. The learned Additional Government Pleader appearing for the respondents, by referring the counter affidavit filed by the second respondent/the Director of Land Reforms, Chepauk, Chennai, submits that the land in Survey No.532/2 of E.Chittoor Village was owned by Subbiah Gounder, S/o. Rengasamy Gounder and the land owner Subbiah Gounder has donated the above land to the Bhoodan Board during the year 1965. After complying with the procedures laid in the Act and Rules, the donated land was confirmed on 21.09.1972 and necessary registration was made vide Document No.1281/1972. He further submits that now, patta stands in the name of the Tamil Nadu Bhoodan Board in Patta No.511 and survey number has been re-assigned as 532/2B. Further, there is no provision in the Tamil Nadu Bhoodan Yagna Act, 1958 and the Rules framed thereunder to re-convey the land already donated to the Bhoodan Board.



W.P.(MD)No.5191 of 2016

WEB COPY

3. This Court considered the said submissions and perused the materials placed on record.

4. The petitioner is the wife of the adopted son of Subbiah Gounder. The owner of the property, Subbiah Gounder, has donated the property to the Bhoodan Board in the year 1965, which has also been confirmed by way of document No.1281/1972. It is also submitted by the learned Additional Government Pleader that there is no provision in the Tamil Nadu Bhoodan Yagna Act, 1958 and the Rules thereunder to re-convey the land already donated to the Bhoodan Board. Therefore, this writ petition is dismissed. No costs.

15.02.2023

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



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W.P.(MD)No.5191 of 2016

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