



W.P(MD)No.17824 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17824 of 2013

and

M.P(MD)Nos.1 & 2 of 2013

Chithirai Esakki Nadar

... Petitioner

Vs

1.The District Collector,
Tirunelveli,
Kokkirakulam,
Tirunelveli – 9.

2.The Special Tahsildar,
Land Acquisition,
The District Backward Class and
Minorities Welfare Office,
Tirunelveli – 9.

3.S.Jeyaraja Kani
4.A.Asupathi
5.I.Mallika
6.S.Gandhimathi
7.S.Muthukani
8.S.Amutha

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India



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praying to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent in Na.Ka.Gna.9/2724/11 dated 24.02.2011 to quash the same and for a consequential order to quash the proceedings of the second respondent in Na.Ka.Gna.9/2724/11 dated 16.12.2011, in respect of the western 79 1/2 cents out of 1 acre 59 cents in A.P.S.472/1F in Kadayankulam, Vijayanarayanam Part II Village, Nanguneri Taluk, Tirunelveli District.

For Petitioner : Mr.A.Arumugam

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader
for R.1 7 R.2

ORDER

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

2. The case of the petitioner is that the proceedings issued by the second respondent in respect of the petition mentioned lands must be quashed. The petitioner was constrained to file this writ petition because the District Collector, Tirunelveli vide proceedings dated 24.02.2011 had held out that the lands in Survey Nos.471/1C, 471/1D, 471/1E and 471/1F have been acquired through private negotiation. The petitioner would contend that he never consented to such a course of action and that nobody had entered in to any kind of private negotiation with him.



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3. When the matter was taken up for hearing, the learned Additional Government Pleader clarified that Survey No.472/1F was sub divided into S.F.No.472/1F1 and S.F.No.472/1F2. What was acquired through private negotiation was the land comprised in S.F.No.472/1F1 belonging to one Sudalaimani Nadar. The land belonging to the petitioner measuring 79 ½ cents remains intact and this is not the subject matter of any land acquisition proceedings. The rights of the petitioner have not been affected in any manner.

4. Recording the stand of the official respondents, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

04.08.2023

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

To

1.The District Collector,
Tirunelveli,
Kokkirakulam,
Tirunelveli – 9.



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2.The Special Tahsildar,
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The District Backward Class and
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