



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.805 of 2024 and
W.M.P. No.830 of 2024

N.Veerasingam

... Petitioner

Vs.

1. The District Collector

Ranipettai District (Former Vellore District)

Ranipettai - 632 401

2. The Revenue Divisional Officer

Ranipettai District

Ranipettai - 632 401

3. The Special Tahsildar

Land Acquisition,

Walajapet Taluk

Ranipettai District - 632 513

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the entire records connected with the proceedings of the impugned order issued by the 1st respondent by his proceedings in Na.Ka.E1/9489/2021 dated 26.10.2021 and quash the same, consequently direct the respondents to convey the land in Survey No.64/22 situated at Mukundharayapuram Village, Walajapet Taluk.

For Petitioner : Mr.K.Thilageswaran

For Respondent : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

**ORDER**

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This Writ Petition is filed seeking a Writ of Certiorarified Mandamus to call for the entire records connected with the proceedings of the impugned order issued by the 1st respondent by his proceedings in Na.Ka.E1/9489/2021 dated 26.10.2021 and quash the same, consequently direct the respondents to convey the land in Survey No.64/22 situated at Mukundharayapuram Village, Walajapet Taluk.

2. The contention of the petitioner is that the subject land of the petitioner was acquired in the year 1997 for the purpose of extension of SIPCOT Industrial Estate. Since no notice was served on the petitioner, he refused to receive the compensation. Even till today, the said land has not been utilized for the purpose it was acquired. Hence, the petitioner made a representation dated 03.11.2020 for re-conveyance of the said land. However, the same was not considered. Hence, the petitioner filed a writ petition in WP No.9088 of 2021 to consider his representation and this Court by order dated 22.06.2021 was pleaded to direct the respondents to consider and pass order on the petitioner's representation. Subsequently, an enquiry was conducted. Though the 2nd respondent by his report dated 29.09.2021 admitted that the



said land was not utilized for the purpose it was acquired, he rejected the request of re-conveyance stating that there is no provision for re-conveyance based on which, the 1st respondent has passed the impugned order rejecting the claim of the petitioner. Hence, the present Writ Petition is filed.

3. Mr.R.U.Dinesh Rajkumar, Additional Government Pleader takes notice for the respondents.

4. Heard and perused the materials available on record.

5. It is seen that after issuing notification under Section 4(1) and declaration under Section 6(a) of the Land Acquisition Act, Award has been passed within the stipulated time under Section 11 of the Act. Thereafter, the compensation was issued to the petitioner. However, he has refused to receive the same and after a period of 20 years, he has made a representation to the revenue authorities in the year 2020 only for re-conveyance of the land and he is not challenging the Award. Since, the same was not considered, the petitioner filed a writ petition before this Court seeking a direction to consider his representation and this Court also directed the respondents to



consider the petitioner's representation. Subsequently, as per the order of this Court, the respondents have consider the petitioner's representation and passed orders stating that the land acquired is in the use of SIPCOT after obtaining DTCP approval under the Special Economic Zone and further, since the petitioner has refused to receive the compensation, the compensation amount has been deposited in the Civil Court and therefore, the land cannot be re-conveyed. This Court does not find any perversity, illegality or infirmity in the impugned order passed by the 1st respondent. Therefore, the petitioner is not entitled for the relief sought for in this Writ Petition.

6. Accordingly, this Writ Petition is dismissed at the admission stage itself. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

12.01.2024

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Index : Yes / No

Neutral Citation Case : Yes/No



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P.VELMURUGAN. J.

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