



W.P.No.20882 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.20882 of 2024

R.Rajaram

.. Petitioner

Vs

1.The District Registrar
Salem, Salem District

2.The Sub Registrar
Sub Registrar Office
Salem District

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the 2nd respondent to remove the encumbrance in his office in respect of acquisition made in S.No.66/1, an extent of 0.91.0 hec. at Kottagoundampatti Village, Omalur Taluk, Salem District, by considering the petitioner's representation dated 27.02.2022.

For Petitioner : Mr.M.Elango

For Respondents : Mr.B.Vijay
Additional Government Pleader

ORDER

With the consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.



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2. This writ petition has been filed for a direction to the 2nd respondent to remove the encumbrance in respect of the acquisition made in S.No.66/1, an extent of 0.91.0 hec. at Kottagoundampatti Village, Omalur Taluk, Salem District, by considering the petitioner's representation dated 27.02.2022.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. It is the case of the petitioner that his land in S.No.66/1, to an extent of 0.91.0 hec. at Kottagoundampatti Village, Omalur Taluk, Salem District, was acquired by the Government, pursuant to the notification issued under Section 4(1) of the Land Acquisition Act, 1894 and the said acquisition proceedings was declared as lapsed by a Division Bench of this Court in W.A.No.1100 of 2014 *vide* judgment dated 26.02.2016. Therefore, he made a representation to the 2nd respondent on 27.02.2024, seeking to remove the encumbrance relating to acquisition. Since the 2nd respondent has not taken any action on the said representation, the petitioner has filed this writ petition.



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5. At the outset, this Court is of the view that if really there is such an entry, then, it is only to inform the public about the acquisition in respect of the immovable property. If the contention of the petitioner is true that the land acquisition proceedings itself has been set aside, the petitioner can very well produce the judgment of this Court before the authorities concerned, in which event, the authorities are bound to remove the encumbrance relating to acquisition.

With the above observation, this writ petition stands dismissed.

No costs.

25.07.2024

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Index : Yes/No

Neutral Citation : Yes/No

To

1.The District Registrar
Salem, Salem District

2.The Sub Registrar
Sub Registrar Office
Salem District



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N.SATHISH KUMAR, J.

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