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W.P.No.30264 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.30264 of 2024

K.R.Jayaprakash

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by Principal Secretary to Government,
Social Welfare Department (Acquisition of Lands),
Chennai – 600 009.

2. The Sub-Registrar,
Office of the Sub-Registrar,
Annur, CSR Nagar, Avanashi Road,
Annur,
Coimbatore – 641 653.

3. The Special Tahsildar, (Land Acquisition),
Department of Adi Dravidar and Tribal Welfare,
Office of Coimbatore Collectorate,
Coimbatore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the 2nd Respondent to de-register/delete the entries with regard to the Document No.1/1988 evidencing the registration of land acquisition award No.1/1987-88 dated 01.02.1988 as Document No.1/1988 on the file of the 2nd Respondent herein as per the entry



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made in Sl.No.1 of the Encumbrance Certificate dated 16.02.2024 for the period 01.04.1975 to 15.04.2024 in regard to the petitioner's property being dry agricultural lands admeasuring about 2.30 acre (0.93.0 hectare) and comprised in Field Survey No.106/2B situated in Allapalayam Village, Annur Taluk, Coimbatore District.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : M/s.C.Meera Arumugam
Additional Government Pleader

ORDER

This Writ Petition has been filed for Mandamus to direct the 2nd Respondent to de-register/delete the entries with regard to the Document No.1/1988 evidencing the registration of land acquisition award No.1/1987-88 dated 01.02.1988 as Document No.1/1988 on the file of the 2nd Respondent herein as per the entry made in Sl.No.1 of the Encumbrance Certificate dated 16.02.2024 for the period 01.04.1975 to 15.04.2024 in regard to the petitioner's property being dry agricultural lands admeasuring about 2.30 acre (0.93.0 hectare) and comprised in Field Survey No.106/2B situated in Allapalayam Village, Annur Taluk, Coimbatore District.



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2. Though the land acquisition proceedings had been quashed by this Court as early as on 30.01.1997 in W.P.No.2721 of 1988, the Encumbrance Certificate still carries the endorsement of the Acquisition Award. The Petitioner has also made a request to delete the said entry which is being reflected in the Encumbrance Certificate.

3. Heard the learned counsel on either side.

4. Considering the facts and circumstances of the case, this Writ Petition is allowed by directing the 2nd Respondent to delete the said entry from the list of encumbrances in relation to the subject property and issue a fresh Encumbrance Certificate to the Petitioners in the light of the Order passed in W.P.No.2721 of 1988 on 30.01.1997, within a period of four (4) weeks from the date of receipt of a copy of this Order. No costs.

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Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation : Yes/No



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P.T.ASHA, J.

rgm

To

1. The Government of Tamil Nadu,
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