



W.P.(MD) No.24072 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2024

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.24072 of 2024

Grama Samuthaya Borewell and
Agriculturist Welfare Association,
Nandrukachi Village,
Thiruppuvanam Taluk,
Sivagangai District,
through its President,
G.Ramalingam.

... Petitioner

/vs./

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3.The Tahsildar,
Tiruchuli Taluk,
Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the 2nd respondent in his proceedings Oo.Moo.A6/4337/2024 dated 05.09.2024 and quash the same and further direct the respondents to comply with the order dated 10.06.2024 made in WP No.7434/2024 by this Court within a time limit.

For Petitioner : Mr.PT.S.Narendravasan

For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

The above writ petition has been filed for the issue of a Writ of Certiorarified Mandamus to quash the order of the second respondent in proceedings No.Oo.Moo.A6/4337/2024 dated 05.09.2024 and to direct the respondents to comply with the order of this Court dated 10.06.2024 made in WP No.7434/2024.

2. The impugned order has to necessarily be set aside, since the compensation in question which is stated to have been deposited into the Sub Court, Srivilliputhur is based on an acquisition proceeding, which has been set



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aside by this Court in W.P.Nos.12845 to 12847 of 1999. The said writ petition was filed to quash Section 4(1) notification under the Land Acquisition Act issued in G.O.Ms.No.483, dated 16.07.1996 with reference to the lands bearing S.Nos. 364/3 and 364/6 at Athikulam Village, Thiruzuahi Taluk, Sivagangai District. By an order dated 31.10.2001, this Court had set aside the acquisition proceedings giving liberty to the authorities to take proceedings afresh in accordance with law.

3. It is clear from the records that no fresh acquisition proceeding has taken place and this is confirmed by the impugned order, which states that the deposit is made on the basis of the very same Section 4(1) notification, which has been quashed. Therefore, the impugned order has to necessarily be set aside. The order appears to have been passed merely to get over the orders passed by this Court in W.P.(MD) No.7434 of 2024 dated 10.06.2024. The act of the respondents has to be condemned.

4. The Writ Petition stands allowed, accordingly and the impugned order of the second respondent in proceedings No. Oo.Moo.A6/4337/2024 dated 05.09.2024 is hereby quashed. The authorities concerned are directed to pay



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compensation as per Act 30/2013 within a period of 3 months from the date of receipt of a copy of this order, failing which action shall be initiated against the concerned Officials. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

28.10.2024

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To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
- 3.The Tahsildar,
Tiruchuli Taluk,
Virudhunagar District.

P.T.ASHA, J.

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