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W.P.No.937 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2025

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.937 of 2022
and WMP No.1004 of 2022

Mr.Dharmaseelan

.... Petitioner

-Vs-

1.The District Collector
Chengelpet District
Chenglepet.

2.The Revenue Divisional Officer
Chengelpet District
Chenglepet.

3.The Tahsildar
Adi-Dravida Welfare
Chengelpet District-603 002.

4.The Tahsildar
Thiruporur Taluk
Chengelpet District.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from interfering the petitioner's property comprised in Punjai Survey Nos. 94 /1 to an extent of 15.5 Aers (38.28 Cents) and 94 / 2 to an extent of 21.00 Aers (51.82 Cents) situated at Alathur Village, Thiruporur Taluk, Chengelpet District without any authority of law unless the petitioner's representation dated 20.12.2021 is disposed of in accordance with law.



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For Petitioner : Mr.Sidharthan

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus, forbearing the respondents from interfering with the possession and enjoyment of the subject property without any authority of law.

2.A counter affidavit has been filed by the 3rd respondent and the relevant portions are extracted hereunder:

4.It is submitted that for providing house sites to Adi-Dravidars, dry land measuring an extent of 0.36.5 Hectare in survey no.94/1 (0.15.5 Hectare) And survey no.94/2 (0.21.0 Hectare) were acquired under sec.4(1) Notification of Tamilnadu land acquisition of land for Adi-dravida Welfare Scheme Act 1978 (act 31 of 1978) during the year 26.03.1997 vide Special Tahsildar (ADW) Chengalpattu, and same was award to pattadars, the 3rd Respondent notice were issued to registered land holders on 13.02.1997, in whose name, the lands stand in revenue records that is patta holders, who are as follows.



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S.No.	Extent (In Hectare)	Patta No/Pattatharar name
94/1	0.15.5	Patta No.285 1.Duraisamy Naidu S/o.Vembuly Naidu 2.Kali S/o.Perumal Naidu 3.Varadappa Naidu S/o.Narayanasamy Naidu
94/2	0.21.0	Patta No.285 1.Duraisamy Naidu S/o.Vembuly Naidu 2.Kali S/o.Perumal Naidu 3.Varadappa Naidu S/o.Narayanasamy Naidu
Total	0.36.5	

5) *It is submitted that as the pattadarars mentioned in para 4, or no more persons claiming to be their legal heirs have appeared for enquiry, who are as follows:*

1.	Thiru.D.Munusamy Naidu	S/o.Duraisamy Naidu
2.	Thiru.Nandhagopal Naidu	S/o.Duraisamy Naidu
3.	Thiru.Krishtappa Naidu	S/o.Duraisamy Naidu
4.	Thiru.Hari	S/o.Kali Naidu
5.	Tmt.Muniammal	W/o.Venkatesan (late)
6.	Thiru.Balaraman	S/o.Deva Naidu (late)
7.	Thiru.Gajendiran	S/o.Deva Naidu (late)
8.	Thiru.Sekar	S/o.Sriramulu Naidu
9.	Thiru.Kumar	S/o.Sriramulu Naidu

But these persons have not produced death certificate or



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Legal heir certificate or any evidence that they have right over the land. In the absence of any the valid evidence to show that they are the rightful owners of the land it was ordered to remit the compensation amount of Rs.86053/- was remitted into The Hon'ble Sub-ordinate Judge, civil court, Chengalpattu deposit on Bankers cheque No.697621 dated 31.03.1997.

3.Heard Mr.Sidharthan, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader for respondents.

4.It is seen from the counter affidavit that the proceedings were initiated under the Tamil Nadu Land Acquisition Act for Adidravidar Welfare Scheme Act, 1978 and the property was acquired and the compensation amount was also fixed and it was deposited before the Court. The petitioner seems to have purchased the property in Survey No.94/1 in the year 1990 and Survey No.94/2 by virtue of three sale deeds of the years 2003 and 2004. Notice was issued by the authorities in the name of persons as found in the revenue records. The petitioner even without questioning the acquisition cannot straight away come to this Court and seek for restraining the respondents from interfering with the possession and enjoyment. It is too late in the day for the petitioner to make any such claim over the property.

5.This Court does not find any merits in this writ petition and accordingly, this



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writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No

NCS : Yes/No

KP

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N.ANAND VENKATESH, J.



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