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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.5573 of 2025
and WMP No.6152 of 2025

1. Zubaida Begum
2. Layak Ali Khan
3. A.Parveen
4. A.Nasreen

..Petitioners

Vs.

1. The District Collector,
Fort Main Road,
Salem – 636 001
2. The Revenue Divisional Officer,
Subramania Nagar,
Suramangalam, Salem – 636 005
3. The Tahsildar,
Taluk Office, Salem – 636 001

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus direction to the Respondents to consider the petitioners representation dated 25.06.2024 seeking for allotment of an



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alternative land having value proportionate to that of the petitioners land acquired by the Respondents within a time frame as may be fixed by this Honble court.

For Petitioner : Mr.N.Jayakumar

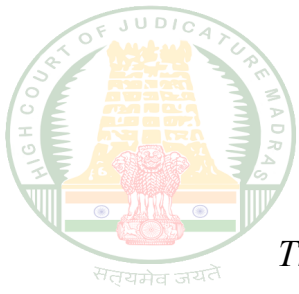
For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents and in particular the 1st respondent to deal with the representation made by the petitioner on 25.06.2024 wherein the petitioner is seeking for allotment of an alternative land.

2. Heard Mr.N.Jayakumar, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader for respondents 1 to 3.

3. The subject property was originally acquired under Act 26 of 1948. The same was put to challenge and ultimately, the matter reached the Apex Court in SLP No.33611 of 2010 and the Apex Court by an order dated 04.08.2017 disposed of the case in the following terms :-

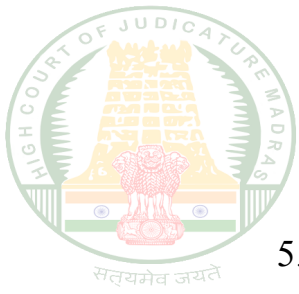


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Though we do not find any merit in this Special leave petition, we would like the Government of Tamil Nadu, if possible, to give alternative land to the petitioner at the market price, subject to eligibility. When we say alternative land, we do not mean a site in proximity.

With the aforesaid observation and direction, the special leave petition stands disposed of.

4. Pursuant to the above order, the petitioner made a representation seeking for allotment of an alternative land. On receipt of the same, the RDO directed the Tahsildar to submit a report. Similarly, the District Collector, Salem had also addressed a communication dated 18.06.2024 to the Tahsildar seeking for submission of a report to enable a decision to be taken on the request made by the petitioner. Thereafter, there was no progress and the petitioner was making representations which did not evoke any response. It is under these circumstances, the present writ petition has been filed before this Court seeking for appropriate directions.



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5. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the petitioner to submit a fresh representation before the 1st respondent along with all the relevant documents and also a copy of this order. The 1st respondent shall take a decision on its own merits and in accordance with law within a period of twelve weeks from the date of receipt of fresh representation from the petitioner.

5. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

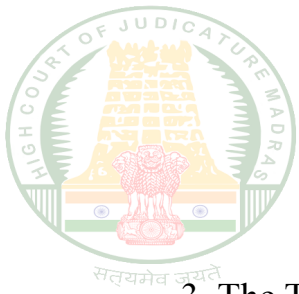
21.02.2025

Index : Yes/No
Internet : Yes/No
Speaking Order / Non Speaking Order
rka

To

1. The District Collector,
Fort Main Road,
Salem – 636 001

2. The Revenue Divisional Officer,
Subramania Nagar,
Suramangalam, Salem – 636 005



3. The Tahsildar,
Taluk Office, Salem – 636 001

N. ANAND VENKATESH, J.
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