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WP No. 5616 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 5616 of 2025

VENKATESHKUMAR

Petitioner(s)

Vs

1. The Commissioner and Secretary
Tamil Nadu Government Social Welfare Department,
Chennai- 9.

2.The District Collector
Cuddalore District,
Cuddalore- 607 001.

3.The Revenue Divisional Officer
Vridhachalam,
Cuddalore District- 606 001.

4.The Tahsildar
Tittagudi, Cuddalore District- 606 106.

5.The Special Tahsildar (ADW)
Aadhi Dravidar Welfare Taluk Office,
Vridhachalam,
Cuddalore District- 606 001.



Respondent(s)

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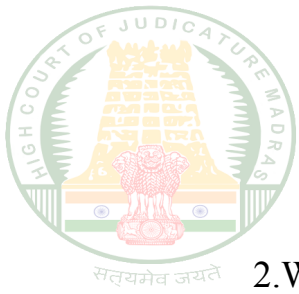
PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 4th respondent in Mu.Mu. A1/ 1497/ 2024 dated 14.10.2024, quash the same, and consequently direct the respondents 3 and 4 to issue patta in the names of the petitioner's family members for the land measuring 19 cents situated in S.No.80/2A in Maligaikottam Village, Cuddalore District as per petitioner's representation dated 18.12.2024.

For Petitioner(s): Mrs.Hema Sampath
Senior Counsel for
Mr.T.Sezhian

For Respondent(s): Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the 4th respondent dated 14.10.2024 and for a consequential direction to the respondents to issue patta in the name of the petitioner and his family members with respect to the subject property.



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2. When the matter came up for hearing on 21.02.2025, this Court passed the following order:

Mr.A.Selvendran, learned Special Government Pleader, takes notice for respondents

2. Mrs.Hema Sampath, learned Senior Counsel appearing for the petitioner submitted that the acquisition proceedings were initiated for Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978. The acquisition proceedings became a subject matter of challenge in W.P.No.8003 of 1986 and this Court, by order dated 22.04.1996, quashed the acquisition proceedings and thereafter, the acquisition proceedings were not revived. Hence, the petitioner made a representation seeking for issuance of patta in his name with respect to the subject property. The fourth respondent, through proceedings dated 14.10.2024, has rejected the claim made by the petitioner on the ground that acquisition proceedings have taken place and the lands have been allotted to the beneficiaries and the award amount has also been deposited.



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3. *Learned Senior Counsel submitted that these developments could not have taken place in view of the order passed in W.P.No.8003 of 1986.*

4. *Learned Special Government Pleader shall take instructions in this case.*

Post this writ petition under the caption 'for orders' on 17.03.2025.

3. When the matter was taken up for hearing today, the learned Additional Government Pleader appearing on behalf of the respondents on instruction, submitted that the order passed in W.P.No.8003 of 1986 dated 22.04.1996 has become final and no appeal has been filed against the said order. However, without proper verification, patta was allotted to the beneficiaries.

4. In the considered view of this Court, once the acquisition proceedings has been quashed and it has become final, the respondents do not have any authority to issue patta to beneficiaries since the property is restored back to the



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original owners. Therefore, the claim made by the petitioner and his family members to restore the patta in the revenue records in their name, is perfectly valid.

5. In the light of the above discussion, the impugned proceedings of the 4th respondent dated 14.10.2024, is hereby quashed and there shall be a direction to the 3rd and 4th respondents to issue patta in the name of the petitioner and his family members with respect to the subject property and necessary proceedings shall be issued in this regard, within a period of six weeks from the date of receipt of copy of this order. It is stated that atleast four persons to whom assignment was granted have constructed houses in the subject property. Steps shall be taken to provide them with alternative sites in order to enable the petitioner and his family members to take possession of the subject property. This process shall be completed, within a period of twelve weeks from the date of receipt of copy of this order.



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6. In the result, this writ petition stands allowed with the above directions.

No Costs.

01-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

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To

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