



W.P. No. 5604 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P. No. 5604 of 2025

and

W.M.P. No. 6182 of 2025

- 1.Valliyathl
- 2.Karunambal
- 3.Ganthimathy
- 4.Govindammal
- 5.Sangeetha
- 6.Kalaiselvi
- 7.Sumathi

.. Petitioners

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Chennai.
- 2.The District Collector,
Tiruppur, Office of the Collectorate,
Tiruppur District – 641 604.
- 3.The Land Acquisition Officer cum Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Tiruppur District.
- 4.The Tahsildar,
Tiruppur South Taluk,
Tiruppur District – 641 606.



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5. The Managing Director,
Tamil Nadu Adi Dravidar Housing and Development Corporation Ltd.,
(TAHDCO), No.31, Cenotaph Road, 2nd Land,
Teynampet, Chennai – 600 018.

6. The District Manager,
Tamil Nadu Adi Dravidar Housing & Development Corporation Ltd.,
(TAHDCO), Coimbatore,
Govt. Boys Hostel Compound,
Dr. Balasundaram Road,
Coimbatore – 641 018.

7. The District Manager,
Tamil Nadu Adi Dravidar Housing & Development Corporation Ltd.,
(TAHDCO), Tiruppur,
Office of the Collectorate,
Tiruppur District – 641 604.

.. Respondents

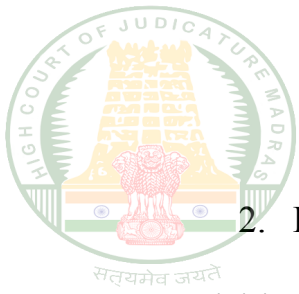
Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, forbearing the 5th, 6th and 7th respondents, their officials and agents from constructing compound wall for TAHDCO Estate, Mudalipalayam in the lands of the petitioners to an extent of 2.43 hectares comprised in S.F.No's.450/1A1,450/1A2, 450/1A3 situated in Muthalipalayam Village, Tiruppur South Taluk, Tiruppur District.

For Petitioners : Mr. S. Arjun

For Respondents : Mr. A. Selvendran,
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of writ of mandamus forbearing respondents 5 to 7 from constructing any compound wall in the property belonging to the petitioners.

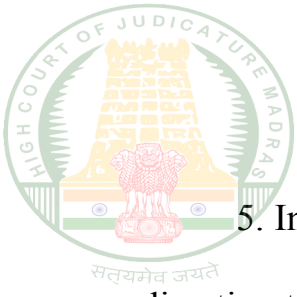


2. Learned counsel for the petitioners submitted that, initially land acquisition proceedings were initiated under Land Acquisition Act, 1894. The same was put to challenge before this Court in W.P. No. 16520 of 1996. The said writ petition was disposed of by an order dated 26.11.2002 by recording the stand taken to the effect that the acquisition itself has been dropped. For proper appreciation, paragraph 2 of the order is extracted herein under: -

“2. The learned Government Advocate today represents that the very acquisition itself has been dropped as seen from the letter of the District Collector dated 22.04.2002. Since the acquisition has been dropped, nothing survives for consideration in this Writ Petition. Recording the statement made by the learned Government Advocate, this Writ Petition is dismissed.”

3. The grievance of the petitioner is that, even after the acquisition proceedings were dropped, attempt is now being made by the respondents 5 to 7 to construct compound wall in the property belonging to the petitioners. Under these circumstances, the present writ petition has been filed before this Court.

4. Learned Special Government Pleader on instructions submitted that the official respondents are not intending to put up any compound wall in the property belonging to the petitioners.



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5. In the light of the specific stand taken by the respondents, there shall be a direction to the fourth respondent to conduct a survey in the property and identify the land of the petitioners in S.F. Nos. 450/1A1, 4501A2 and 450/1A3 and no constructions whatsoever shall be put up in these lands belonging to the petitioners. Before conducting the survey, notice shall be issued to the petitioners and survey shall be conducted in their presence. Till this exercise is completed, no further construction will be carried out. This exercise shall be completed within a period of four weeks from the date of receipt of copy of this order.

6. This Writ Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed. No costs.

18.02.2025

Index : Yes/No

Neutral Citation : Yes/No

AT



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N. ANAND VENKATESH, J.

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