



WA No. 2641 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-03-2025

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CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**WA No. 2641 of 2024
and
CMP.No.18996 of 2024**

1. Vasantha

W/o. Late. S. Nagappan, Puthu Colony,
Anguchettipalayam Village, Panrutti
Taluk, Cuddalore Dt.

2. Senthil

S/o. Late. S. Nagappan, Puthu Colony,
Anguchettipalayam Village, Panrutti
Taluk, Cuddalore Dt.

3. Punitha

D/o. Late. S. Nagappan, Puthu Colony,
Anguchettipalayam Village, Panrutti
Taluk, Cuddalore Dt.

4. Siva

S/o. Late. S. Nagappan, Puthu Colony,
Anguchettipalayam Village, Panrutti
Taluk, Cuddalore Dt.



5. Anitha

D/o. Late. S. Nagappan, Puthu Colony,
Anguchettipalayam Village, Panrutti
Taluk, Cuddalore Dt.

Appellant(s)

Vs

1. The State of Tamil Nadu
rep by the Secretary to Government,
Fort St. George, Chennai 9.

2.The District Collector
Cuddalore District, Cuddalore.

3.The Special Tahsildar
Adi Dravidar Welfare, Cuddalore.

4.R. Krishnamurthy
S/o. Renga Reddiar, Kuthiyankuppam
Village, Thookkampakkam Post,
Cuddalore Tk and Dt.

Respondent(s)

PRAYER

To allow this Writ Appeal by setting aside the order in WP No.19128 of 2017 dated 15.11.2023 and thus render justice.

For Petitioner : Mr.S.Krishnasamy
For Respondent(s): Mr.A.Selvendran (for R1 & 3)
Special Government Pleader

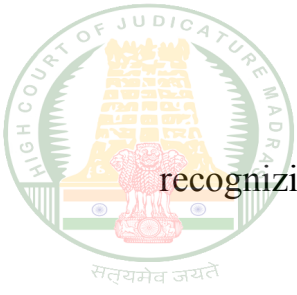
**ORDER****(Order of the Court was made by S.M.Subramaniam J.)**

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The Writ Appeal has been instituted to assail the order in WP No.19128 of 2017 dated 15.11.2023.

2. The Arguments advanced on behalf of the Appellants and the Respondents are considered. This Court is of the opinion that, the issue pertains to the acquisition of land in Survey No. 70/2, Angu Chettipalayam, Cuddalore District, intended for allotment to landless Scheduled Caste beneficiaries under the Adi Dravidar Welfare scheme. The appellants' father, Nagappan, had purchased the said land despite its prior acquisition status. His earlier challenge to the acquisition in W.P.No.14033 of 2000 resulted in a direction for reconsideration, culminating in the order dated 13.09.2012, which was not challenged during his lifetime. The learned Single Judge rightly held that the petitioners, as legal heirs, cannot challenge the order belatedly after five years of their father's demise.

3. During the course of this appeal, it was brought to the notice of this Court that another judgment concerning the same survey number (70/2) was passed by the Division Bench in W.P.No.2699 of 2023 on 06.06.2024. In that case, the Court found that the land in Survey No. 70/2 was acquired in 1984, and the acquisition was final and binding. The Court directed the Government to



recognizing the long-pending delay in implementation.

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4. As a result of which, we find no grounds to interfere with the judgment of the learned Single Judge. The appellants cannot claim rights over land already acquired for public welfare, particularly when the Division Bench has reaffirmed the validity of the acquisition and directed issuance of pattas.

5. Accordingly, this writ appeal stands disposed of, with no order as to costs. No costs. Consequently, the connected Miscellaneous Petition is closed.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

03-03-2025

GD

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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**S.M.SUBRAMANIAM
J.
AND
K.RAJASEKAR J.**

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