



W.A.No.2498 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE P. DHANABAL

W.A.No.2498 of 2025

K.Vanathaiyan

.. Appellant

Vs.

1. The Secretary to State Government of Tamil Nadu
Department of Social Welfare and Adi Dravida Welfare
Fort St. George, Chennai.

2. The District Collector
Cuddalore District
Cuddalore – 607 001.

3. The Special Tahsildar
Adi Dravida Welfare
Cuddalore – 607 001.

.. Respondents

Prayer: Appeal filed under Section 5 of the Limitation Act, to set aside the order dated 03.04.2025 made in W.P.No.11271 of 2025.

For the Appellant : Mr.D.Baskar

For the Respondents : Mr.Vadivelu Deenadhayalan
Additional Government Pleader

JUDGMENT

(Judgment of the Court was made by R.SURESH KUMAR, J.)

The writ petitioner is the appellant herein, who has unsuccessfully filed the said writ petition, seeking a writ of mandamus, directing the respondents to reconvey the land in



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S.No.100/4 Hec.0.90.0, Old S.No.301/2 Ac.2.07 and 302/2 Ac.0.18 in Maruvai Village, Kurinjipadi Taluk, Cuddalore District, which was acquired in the year 1983.

2. In fact, as against the land acquisition proceedings in the year 1983, the writ petitioner/appellant filed a writ petition in W.P.No.11777 of 1983, which came to be dismissed by the Writ Court vide the order dated 03.12.1991. Thereafter, he filed a writ appeal in W.A.No.34 of 1992, where the Division Bench of this Court confirmed the order of the Writ Court by the order dated 01.09.1992. Therefore, the acquisition proceedings has become final.

3. However, the case of the writ petitioner/appellant was that, for nearly about forty years, though the land has been acquired, no progress has been made and the land has not been utilized for the purpose for which it was acquired or for any other public purposes, therefore, seeking reconveyance, he has given a representation on 12.02.2025. In order to consider the same, a mandamus was sought in the instant writ petition, which was rejected by the Writ Court through the impugned order dated 03.04.2025, stating that, once the land acquisition proceedings came to an end and all legal



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proceedings were over, the land is vested with the Government.

Therefore, the writ petitioner/appellant does not have any legal right to seek any mandamus, therefore, on that ground, the writ petition was dismissed, against which, the present writ appeal has been filed.

4. Heard *Mr.D.Baskar*, learned counsel for the writ petitioner/appellant and *Mr.Vadivelu Deenadhayan*, learned Additional Government Pleader for the respondents.

5. The writ petitioner/appellant may not have any absolute right to seek reconveyance of the land. It is a settled proposition that once the land is acquired and is vested with the Government, either it may be utilized for the purpose for which it was acquired, or for any other public purposes, as it deems fit for the Acquiring Authorities. However, since the land has not been utilized for four decades, he sought reconveyance, for which, he has made a request on 12.02.2025 and the said request can be considered and decided on merits by the respondents and it does not mean that it should be considered positively, however, seeking such mandamus cannot be denied at the threshold by the Writ Court.



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6. Therefore, to that extent, we are inclined to interfere with the order passed by the Writ Court and we dispose of this writ appeal to the following effect:-

(i) That the order passed by the Writ Court, which is impugned herein, dated 03.04.2025 is set aside and as a sequel, there shall be a direction to the respondents to consider the representation of the writ petitioner/appellant dated 12.02.2025 and pass orders, on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

(ii) It is made clear that by virtue of the directions given herein, it need not be taken as if we have accepted the merits as claimed by the writ petitioner/appellant and it is open to the respondents to decide the issue on its own merits and in accordance with law.

7. With these directions, the writ appeal is disposed of.

However, there shall be no order as to costs.

(R.S.K., J.) (P.D.B., J)
25.08.2025

Speaking Order/Non-Speaking Order

Index:Yes/No

Internet:Yes/No

Neutral Citation:Yes/No

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To:

WEB COPY

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R. SURESH KUMAR, J.

AND

P. DHANABAL, J.

(drm)

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