



WEB COPY

WA No. 3397 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

WA No. 3397 of 2023

1. C.Munusamy

Appellant(s)

Vs

1. The Commissioner
Land Administration Department,
Ezhilagam Chepauk, Chennai 05

2. The Commissioner
Adi-dravida Welfare Commissionerate,
Ezhilagam Chepauk, Chennai 05

3. The District Collector
Office of the Collectorate, Dharmapuri
District-636 705.

4. District Adi Dravida And Tribal
Welfare Officer
Collectorate Office Campus,
Dharmapuri District - 636 705.

Respondent(s)

PRAYER

To set aside the order passed by the Learned Judge in WP.No.22574 of 2022 dated 30.08.2022 on the file of this Court and allow this Writ Appeal.

For Appellant(s): Ms.S.Bhuvaneshwari
for Mr.G.Selvaraj



For Respondent(s): Mrs.Akila Rajendran,
Government Advocate for R1 - R4.

ORDER

WEB COPY (Order of the Court was made by S.M.Subramaniam J.)

The intra-court appeal on hand has been instituted by the writ petitioner. Writ Petition has been instituted challenging the rejection order passed by the District Collector to re-convey the acquired land and for a direction to mutate revenue records in favour of appellant.

2. It is not in dispute between parties that subject land involved in present intra-court appeal had been acquired under Land Acquisition Act for Harijan Welfare, and an award was passed on 09.07.1998 in award No.6/ADW/98-99. The appellants are not challenging land acquisition proceedings, and the said proceedings completed in all respects. After lapse of few years, appellants submitted representation to District Collector seeking re-conveyance of acquired lands. District Collector, Dharmapuri vide Proceedings, dated 29.07.2022 rejected the claim of appellants. Thus, writ petition came to be instituted.

3. Writ Court considered the issues and found that lands were acquired for benefit of Adidravidar people. That apart, Section 48B conferring power on Government to re-convey land at its discretion is no longer in existence. Therefore, claim of appellants/writ petitioners cannot be considered.



4. This Court is in agreement with the reasoning given by Writ Court.

Re-conveyance of acquired land cannot be claimed as an absolute right. Re-

conveyance of acquired land is a discretion to be exercised by Government.

That apart, said provision under Section 48B of Old Land Acquisition Act is no longer in existence. Therefore, the claim of the appellants to re-convey acquired land at this distance of time cannot be considered by this Court.

5. Consequently, the Writ order made in WP.No.22574 of 2022 dated 30.08.2022 is confirmed and the present writ appeal is dismissed. No costs.

Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(MOHAMMED SHAFFIQ J.)

05-11-2025

gd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1. The Commissioner
Land Administration Department,
Ezhilagam Chepauk, Chennai 05

2. The Commissioner
Adi dravida Welfare Commissionerate,
Ezhilagam Chepauk, Chennai 05

3. The District Collector
Office of the Collectorate, Dharmapuri
District-636 705.

4. District Adi Dravida And Tribal
Welfare Officer
Collectorate Office Campus,
Dharmapuri District - 636 705.



WEB COPY

WA No. 3397 of 2023



**S.M.SUBRAMANIAM J.
AND
MOHAMMED SHAFFIQ J.**

gd

WA No. 3397 of 2023

05-11-2025