



W.P.No.39977 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.39977 of 2024

and

W.M.P.No.43821 of 2024

Natesan

... Petitioner

Vs.

1.The District Collector
Collectorate, Ariyalur District,
Ariyalur 621 704

2.The District Adidraavidar Welfare Officer
Office Of Adidraavidar Welfare,
Ariyalur, Ariyalur District 621 704

3.The Special Tahsildhar
Adidraavidar Welfare, Udayarpalayam, Taluk,
Udayarpalayam Ariyalur District 621 704

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, Call for entire pertains to order of 2nd respondent dated 11.09.2024, made in Na.Ka. Enn-M1 / 3699 - 2018, quash the same as illegal and further direct thee 2nd



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respondent to pay compensation to the petitioner to the lands acquired by the respondents 2 and 3 from petitioner to the properties situated in Old. S. No 222/1 New. S.F. No 117 / 2 to an extent of 2.02 Acres, Udaiyavarttiyyanor village Account, Udayarpalayam Taluk Ariyalur District, for giving house sites to Adidravidar, under the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act 1978 based upon the petitioner's representation dated 30.10.2024.

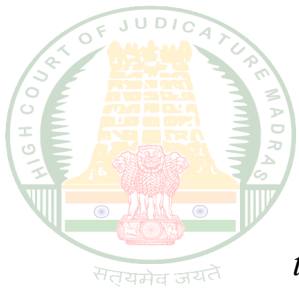
For Petitioner : M/s.A.Gouthaman

For Respondents : M/s.A.Selvendran, Spl.GP
for R.1 to R.3.

ORDER

The Writ Petition is filed for the following reliefs:-

"Call for entire pertains to order of 2nd respondent dated 11.09.2024, made in Na.Ka. Enn- M1 / 3699 - 2018, quash the same as illegal and further direct thee 2nd respondent to pay compensation to the petitioner to the lands acquired by the respondents 2 and 3 from petitioner to the properties situated in Old. S. No 222/1 New. S.F. No 117 / 2 to an extent of 2.02 Acres, Udaiyavarttiyyanor village Account, Udayarpalayam Taluk, Ariyalur District, for giving house sites



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to Adidravidar, under the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act 1978 based upon the petitioner's representation dated 30.10.2024."

2. The Petitioner would submit that the subject property belongs to one Dharmachavadi. The petitioner is the trustee of the said Dharmachavadi. The lands are shown as Dharmachavadi in all the revenue records. Since some third party had disputed the title of the subject property, the petitioner had instituted a suit O.S.No.130/2003, on the file of the District Munsif, Jayankondam. After contest, the suit was decreed declaring the right of the petitioner over the property. The respondents have also not disputed the petitioner's right over the property.

3. The respondents had thereafter acquired a land measuring an extent of 2.02 acres in Old S.No.221/1, New S.No.117/2 in Udaiyavarttiyyanor Village, under the Tamil Nadu Acquisition of lands for Harijan Welfare Schemes Act, 1978, for forming house sites for persons belonging to the Harijan communities. Though the respondents had acquired the land, compensation had not been paid. Therefore, the petitioner had made a representation on 18.07.2024 requesting for payment



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of compensation for the land acquired along with interest.

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4. To this representation, the 3rd respondent had sent a reply on 09.09.2024 stating that after the disposal of the pending civil suit, the request of the petitioner would be considered. The 2nd respondent also made a similar response and passed the impugned order dated 11.09.2024 stating that after the disposal of the pending civil case, the appropriate compensation for the lands acquired from the petitioner would be disbursed. The petitioner would submit that even on the date of the response, no suit was pending. Therefore, the petitioner is before this Court.

5. Heard the counsels on either side.

6. Considering the fact that the petitioner's lands have been acquired without giving compensation and also considering that there is no impediment for the respondents to provide compensation, as there is no civil suit pending against the petitioner in respect of the subject property, the Writ Petition is allowed. The impugned order dated 11.09.2024 is set aside. The respondents are directed to give compensation to the petitioner



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within a period of 1 month from the date of receipt of a copy of this order.

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No costs. Consequently, the connected Miscellaneous Petition is closed.

07.01.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

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Collectorate, Ariyalur District,
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Udayarpalayam Ariyalur District 621 704

P.T. ASHA. J.,



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