



W.P.(MD)No.1882 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

WP(MD)No.1882 of 2022

Kannappan.V.K.

... Petitioner

Vs.

1. The Principal Secretary

Adi Dravidar and Tribal Welfare Department,
State of Tamil Nadu, Secretariat,
Fort St. George, Chennai-600009.

2. The Director

Direcotorate of Aadi Dravidar Welfare
Department, Chepauk, Triplicance,
Chennai - 621301.

3. The District Collector

Madurai District -20.

4. The Special Tashildhar

Aadi Dravidar Welfare, Usilampatti,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent issue appropriate order to the Respondent 3 and 4 to correct the revenue



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records relating to survey Nos.78/7, 10, 11 and 12 an extent of 1 acres 34 cents situated at Thayaneri Karisalpatti Village, Melakottai Revenue Village, Thirumangalam Taluk, Madurai District in the name of petitioner which was wrongly mutated during the attempted acquisition of land under the Act 31 of 1978 admittedly acquisition proceedings dropped by the respondents themselves.

For Petitioner : Mr.S.Vellaichamy

For Respondents : Mr.S.Kameswaran
Government Advocate

ORDER

The petitioner seeks issuance of writ of mandamus, to direct the first respondent to issue directions to the respondents 3 and 4 to correct the revenue records relating to survey Nos.78/7, 10, 11 and 12 measuring to extent of 1.34 Acres, situated at Thayaneri Karisalpatti Village, Melakottai Revenue Village, Thirumangalam Taluk, Madurai District

2. I have heard Mr.S.Vellaichamy, learned counsel for the petitioner and Mr.S.Kameswaran, learned Government Advocate for the respondents.



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3. The learned counsel for the petitioner would submit the lands belonging to the petitioner had been originally acquired under Act 31 of 1978. Subsequently, several writ petitions came to be filed before this Court, challenging the said acquisition proceedings. Ultimately, the acquisition proposal was dropped and a different property was identified for providing sites under the Harijan Welfare Scheme. The petitioner's grievance is that despite the acquisition proceedings being dropped, the revenue records continued to be classified as Harijan Natham Poramboke. The petitioner has therefore sought for necessary corrections to be carried out.

4. The learned Government Advocate Mr.S.Kameswaran, would submit the Special Tahsildar as well as the District Adi Dravidar Welfare Department have recommended the case of the petitioner favourably, on the ground that the acquisition proceedings original initiated in respect to the petitioner's lands have been dropped.

5. However, I find that award has been passed in respect of the very same survey numbers in respect of which the petitioner has now sought for correction to be carried out in the revenue records.



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6. It is also noted that the compensation amount in respect of the lands have also been kept in revenue deposit way back in the year 1982. In view of the same, I do not find any impropriety on the part of the revenue officials. It is for the first respondent, who has passed orders under Section 48-B of the Land Acquisition Act, releasing the lands from acquisition, enabling necessary mutation to be carried out. The fact remains that the award has already been passed in respect to the said survey numbers and admittedly the petitioner has not received compensation and petitioner continues to be in enjoyment of the said land.

7. This Writ Petition is disposed of, directing the first respondent to consider the petitioner's representation dated 04.01.2018, after affording an opportunity to the petitioner and also taking into account the recommendations of the Special Tahsildar, Adi Dravidar Welfare Department, Usilampatti in Na.Ka.No.35/2021/A dated ..05.2021 as well as the District Adi Dravidar Welfare Officer Department, Madurai, in Na.Ka.No.14166/2017/AA.dhi-7 dated 19.04.2022 and pass final orders on the petitioner's request dated 04.01.2018, to withdraw the petitioner's



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lands from acquisition and consequently direct the mutation of records, reclassifying the petitioner's patta land. The said excise shall be carried out within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

24.04.2025

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
LS

To

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Adi Dravidar and Tribal Welfare Department,
State of Tamil Nadu, Secretariat,
Fort St. George, Chennai-600009.
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P.B. BALAJI, J.

LS

Order made in
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Dated:
24.04.2025