



W.P.(MD).No.6368 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.08.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P(MD) No.6368 of 2023
and
W.M.P(MD) No.6023 of 2023

Pandian

... Petitioner

Vs.

- 1.The District Collector,
Office of the Collectorate,
Trichy.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Srirangam, Vannankovil, Trichy.
- 3.The Tahsildar,
Adi Dravidar Welfare,
Office of the Collectorate, Trichy.
- 4.The Tahsildar,
Office of the Tahsildar,
Manapparai,
Trichy.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner, dated 09.11.2022 within the time stipulated by this Court.



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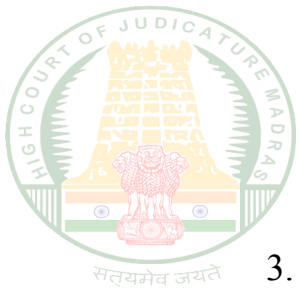
For Petitioner : Mr.Ramsundarvijayraj.S

For R1 to R4 : Mr.D.S.Nedunchezian,
Government Advocate

ORDER

The Writ Petition has been filed seeking a direction to the respondents to consider petitioner's representation, dated 09.11.2022.

2. According to the learned counsel for the petitioner, the subject property to an extent of 1.04 Hectares situated in Survey No.90/8B at Usilampatti Village, Manapparai Taluk, Trichy District, originally belongs to petitioner's family. The 3rd respondent herein has issued a notification in the year 1975 for acquisition of the said property and the same was objected to by the petitioner's father. However, in the revenue records, the subject property has been classified as Adidraavidar colony. According to the learned counsel for the petitioner, the subject property is still in enjoyment of the petitioner. Therefore, instant representation has been submitted by the petitioner on 09.11.2022, seeking issuance of patta after deleting entry in the revenue records.

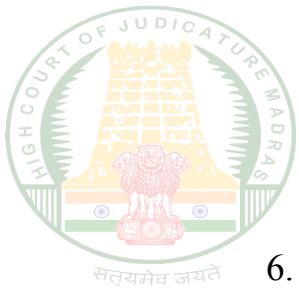


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3. The 3rd respondent has filed a counter affidavit stating that the subject property has been acquired for the purpose of providing free house sites to the persons belonging to the Adidravidar Community and after proper acquisition, the revenue records also mutated.

4. It is further stated in the counter affidavit that the award was passed fixing compensation for the acquired land in Award No.15/1975, dated 04.07.1975. It is further stated the acquired land was divided into 32 plots and free house sites pattas were issued in favour of the beneficiaries. The subject property is mutated as Aadi Dravidar Natham in the Village Register. Therefore, the 3rd respondent seeks dismissal of this Writ Petition.

5. Even according to the averments made in the representation of the petitioner, the proceedings were taken by the official respondents in the year 1975 itself, and the revenue documents were also mutated subsequent to the acquisition. In the said circumstances, by virtue of alleged enjoyment, the petitioner is not entitled to seek issuance of patta in his name. Therefore, this Court is not inclined to entertain this Writ Petition and accordingly, the same is dismissed.



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6. The learned counsel for the petitioner would submit that since the possession of the subject property remains with the petitioner, the acquisition proceedings got lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Re-Settlement Act, 2013. There is no reference about payment or otherwise of compensation in writ affidavit.

7. Considering the limited prayer in this Writ Petition, seeking direction to consider the representation, this Court is not inclined to consider the contention made by the petitioner regarding the alleged lapse of the acquisition proceedings. If the petitioner is so advised, it is open to him to file an appropriate Writ Petition with specific prayer regarding alleged lapse of the acquisition proceedings.

8. With the above liberty, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

05.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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S.SOUNTHAR, J.

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