



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Tuesday, the Twenty Ninth day of April

Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE P.B. BALAJI

WMP(MD). No.8797 of 2025 and 8798 of 2025

W.P.(MD)No. 2302 and 19029 of 2019

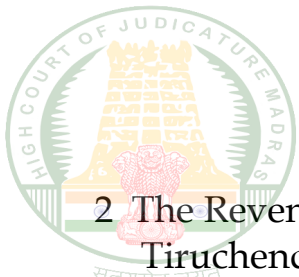
S.Vellakannu Nadar (Died),

1. Saraswathi
2. Subagandhi
3. Prabhu
4. Dhanalakshmi
5. Raja
6. Rajarathinam
7. Yogarathinam
8. Sriramkumar

... Petitioners/Petitioners in
both petitions

Vs.

- 1 The District Collector,
Thoothukudi District, Thoothukudi.



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2 The Revenue Divisional Officer,
Tiruchendur,
Tuticorin District

... Respondents 1 and 2 in 8798/2025

3 Govindaraj,
The Revenue Divisional Officer,
Tiruchendur, Tuticorin District

... Respondents 1 to 3 in 8797/2025

4 The Tahsildar,
Erel Taluk,
Erel, Tuticorin District

5 The Special Tahsildar,
Adi Dravidar Welfare,
Tiruchendur,
Tutocorin District

6 Forest Ranger,
Tiruchendur Range,
Forest Department.
Vanathirupathi,
Tuticorin District

... Respondents 4,5,6 in WMP(MD) 8797/2025
/Respondents 3,4,5 in WMP(MD) 8796/2025

Prayer in W.M.P.(MD)No. 8797 &8798 of 2025 :-

The Writ Miscellaneous Petition filed under Article 226 of the Constitution of India pleased to set aside the order dated 27.03.2025 made in W.P.(MD) No. 2302/2019 and 19029 of 2019, on the file of this Honble Court and restore the writ petition.

Prayer in W.P.(MD)No. 2302 of 2019 :-

Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Declaration, declaring that the Land Acquisition proceedings initiated under Section 4 (1) of the Land Acquisition Act vide G.O.Ms. No. 1824 Social Welfare Department dated 5.9.1985 in respect of the petitioner's land bearing S.No. 153/1



measuring 99 cents and S.No. 156/2 part measuring 44 cents situated in Angamangalam Village, Tiruchendur Taluk, Tuticorin District as lapsed.

Prayer in W.P.(MD)No. 19029 of 2019 :-

Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, forbearing the respondents from cutting and removing the trees in the petitioner's land bearing S.No. 153/1 measuring 99 cents and S.No. 156/2 part measuring 44 cents situated in Angamangalam Village, Tiruchendur Taluk, Thoothukudi District.

ORDER:- This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. G. Vishnuram Advocate for the Petitioner and of Mr. B. Saravanan Additional Government Pleader for Respondent 1 & 2 and 4 to 6 the Court made the following order:

Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the official respondents.

2. The petitioners have filed the present applications to set aside the order of dismissal of the writ petitions for non prosecution. The grievance of the petitioners is that the petitioners' counsels name was not printed.

3. The reasons assigned by the petitioners is that the original writ petitioner had died and present petitioners' names have been substituted in his place. The learned counsel for the petitioners submits that the legal heirs names were also not printed on the date of dismissal order passed in the writ petitions on 27.03.2025. In



the light of the above, ordered to give fair opportunity to the petitioners, the order of dismissal for default is recalled. Hence, these petitions are allowed and post the main writ petitions “for arguments” on 17.06.2025.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/05/2025

Sub Assistant Registrar
(CS - I/ II / III /IV)

TO

1. The District Collector,
Thoothukudi District, Thoothukudi.
2. The Revenue Divisional Officer,
Tiruchendur, Tuticorin District
3. The Tahsildar,
Erel Taluk,
Erel Tuticorin District
4. The Special Tahsildar,
Adi Dravidar Welfare,
Tiruchendur,
Tutocorin District
- 5 Forest Ranger,
Tiruchendur Range, Forest Department
Vanathirupathi,
Tuticorin District



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Copy to
The Section Officer,
Writ Section (Posting)
Madurai Bench of Madras High Court.

ORDER DATED : 29/04/2025

HEARING DATE : 17.06.2025

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ORDER
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WMP(MD). No.8797 of 2025
AND
8798 OF 2025

Giving direction and etc.
as stated within.

BV/13.05.2025 5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023