



W.P.(MD)No.15093 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.06.2025

CORAM:

THE HON'BLE MR. JUSTICE S.SOUNTHAR

W.P.(MD).No.15093 of 2022

Antal

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep., by its Secretary,
Industries, Labour and Co-operation,
Secretariat,
Chennai – 600 009.
2. The Commissioner of Land Administration,
Land Acquisition Department,
Ezhilagam, Chepauk,
Chennai – 600 005.
3. The Secretary,
Small Industries Development Corporation,
SIDCO-Head Office,
Chennai – 600 032.
4. The District Collector,
Collector Office,
Sivagangai – 630 562.
5. The District Revenue Officer,
District Revenue Office,
Sivagangai District – 630 562.



W.P.(MD)No.15093 of 2022

WEB COPY

6. The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai District.

7. The Tahsildar,
Manamadurai Taluk,
Sivagangai District – 630 606.

8. The Director,
Sidco-Thondi Road,
Sivagangai District – 630 561.

... Respondents

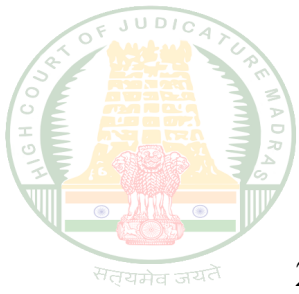
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to handover the petitioner's late father in law namely M.G.Muguntharaja Iyankar's land under Section 48B of the Land Acquisition Act, 1894, which is comprised at Survey No:281/1, to an extent of 4.44 Acres in Surakulam Group, Manamadurai Taluk, Sivagangai District, which the same was acquisition for SIDCO – Industries under Section 17(4) of the Land Acquisition Act, 1894, based on the petitioner's representation on 04.07.2022.

For Petitioner : Mr.R.Senthil Kumar

For R1 to R8 : Mrs.S.Jeya Priya
Government Advocate

ORDER

This writ petition is filed seeking a writ of mandamus directing the respondents to hand over the petitioner's late father in law namely M.G.Muguntharaja Iyankar's property under Section 48(B) of the Land Acquisition Act.



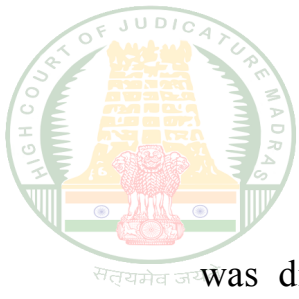
W.P.(MD)No.15093 of 2022

WEB COPY

2. It is the case of the petitioner that her father in law's property comprised in S.No.281/1 with an extent of 4.44 Acres in Surakulam Group, Manamadurai Taluk, Sivagangai District was acquired for the 8th respondent.

3. According to the petitioner, the said land has not been utilized for the purpose for which it was acquired. Therefore, a representation was submitted on 04.07.2022, seeking reconveyance of the land. The said representation has not been considered. Hence, the petitioner has come before this Court.

4. When the writ petition is taken up for hearing, the learned counsel appearing for the 8th respondent would submit that the original land owner viz., father in law of the petitioner, Mr.M.G.Muhundharajan filed a writ petition in W.P.(MD)No.12550 of 2011, seeking very same prayer of reconveyance. The said writ petition was dismissed by this Court vide order dated 08.11.2011 on the ground that land was already transferred to the 8th respondent. The dismissal order was challenged by the petitioner's father in law in W.A.(MD)No.1709 of 2011 and the same



W.P.(MD)No.15093 of 2022

WEB COPY

was dismissed on 14.07.2017 by confirming the order passed by the learned Single Judge. He also produced the orders passed by this Court in W.P(MD)No.12550 of 2011 as W.A.(MD)No.1709 of 2011.

5. When the original owner of the property himself filed a writ petition before this Court seeking reconveyance and failed, the petitioner who is claiming rights under him is not entitled to maintain her representation. The writ petition filed by suppressing the earlier writ petition of the petitioner's father in law is nothing but an abuse of process of law.

6. In the writ affidavit there is no whisper about earlier writ petition filed by the petitioner's father in law. It is the case of the petitioner that her father in law died on 20.11.1969. In that case, it is not clear how he could have filed writ petition and writ appeals referred above. It is not the case of the petitioner, the above said proceedings were initiated by somebody fraudulently after death of petitioner's father in law. Even assuming it is the case of the petitioner that earlier proceedings were fraudulent one, it is for her to file appropriate petitions to set aside the earlier order by



W.P.(MD)No.15093 of 2022

WEB COPY

pleading fraud. The present writ petition filed by the petitioner without disclosing earlier proceedings is not at all maintainable. However it is made clear dismissal of this writ petition will not come in the way of petitioner from challenging earlier order passed in W.P(MD)No.12550 of 2011 and W.A(MD)No.1709 of 2011 in the manner known to law, if so advised.

7. Therefore, this Court is not inclined to entertain this writ petition and hence the same is dismissed. No costs.

18.06.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm

To

1. The State of Tamil Nadu,
Rep., by its Secretary,
Industries, Labour and Co-operation,
Secretariat,
Chennai – 600 009.
2. The Commissioner of Land Administration,
Land Acquisition Department,
Ezhilagam, Chepauk,
Chennai – 600 005.



WEB COPY



W.P.(MD)No.15093 of 2022

S.SOUNTHAR, J.

rgm

3. The Secretary,
Small Industries Development Corporation,
SIDCO-Head Office,
Chennai – 600 032.
4. The District Collector,
Collector Office,
Sivagangai – 630 562.
5. The District Revenue Officer,
District Revenue Office,
Sivagangai District – 630 562.
6. The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai District.
7. The Tahsildar,
Manamadurai Taluk,
Sivagangai District – 630 606.
8. The Director,
Sidco-Thondi Road,
Sivagangai District – 630 561.

W.P.(MD).No.15093 of 2022

18.06.2025