



W.P.(MD)No.19901 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :12.12.2025

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THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.19901 of 2023

N.Sivakumar

... Petitioner(s)

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The District Adi Dravidar Welfare Officer,
Dindigul,
Dindigul District.

3. The Special Tahsildar,
Adi Dravidar Welfare,
Dindigul East Taluk,
Dindigul.

... Respondent(s)

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents herein to dispose the petitioners application dated 03.04.2023 pertaining to the re-conveyance of the landed property of an extent of 4 acres, 36 cents comprised in Survey nos. 538/3, 538/4, 538/5, 538/6, 538/7, 542/7 and 542/11 situated at Balakrishnapuram Village, Dindigul East Taluk, Dindigul District to the petitioner and other legal heirs of Mani Servai, S/o.Maruthai Servai within a time stipulated by this Court.



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For Petitioner :Mr. J. Lawrance

For Respondents :Mr.B.Ramanathan

Addl. Government Pleader for R1 to R3

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ORDER

This writ petition has been filed seeking the issuance of a writ of mandamus, directing the respondents herein to dispose the petitioner's application dated 03.04.2023 pertaining to the re-conveyance of the landed property of an extent of 4 acres, 36 cents comprised in Survey nos. 538/3, 538/4, 538/5, 538/6, 538/7, 542/7 and 542/11 situated at Balakrishnapuram Village, Dindigul East Taluk, Dindigul District, to the petitioner and other legal heirs of Mani Servai, S/o.Maruthai Servai within a time stipulated by this Court.

2. Heard the learned counsel for the parties and perused the materials available on record.

3. The learned counsel for the petitioner submits that the land in question was conveyed to the Government in the year 1999 for implementation of a scheme for allotment of house sites to the landless poor belonging to the Adi Dravidar Community. However, the said



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scheme, for which the land was conveyed, was not implemented at the said location till date. He further submits that the scheme has now been implemented at some other place and that the beneficiaries have also constructed their respective houses at the said site. Therefore, the petitioner has sought a direction to dispose of the his application dated 03.04.2023 pertaining to the reconveyance of the land.

4. The learned Additional Government Pleader appearing on behalf of respondents 1 to 3 contends that the subject land was sold by the petitioner to the Government for a sale consideration of Rs.1,59,781/-. The Government purchased the said land for the purpose of allotment of house sites to the landless poor belonging to the Adi Dravidar Community. Since the petitioner sold the property to the Government, he cannot now claim any right over the said property.

5. On a perusal of the records, it is admitted that the petitioner sold the property in the year 1999. Under the provisions of the Land Acquisition Act, 1894, then in force, the rights over the property vested with the Government. Even assuming that the Government has not utilized the property for the said purpose, there is no provision under the



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old Act, unlike Section 101 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, for reconveyance of the land to the person from whom it was acquired in the event of non-utilization of the land for the purpose for which it was acquired.

6. Even the Hon'ble Supreme Court in ***Indore Development Authority v. Manoharlal and others*** reported in ***2020 (8) SCC 129*** categorically held that the provisions of new Act cannot be made applicable to the acquisition made under the old Act.

7. Therefore, the relief sought for by the petitioner cannot be granted. Accordingly, this writ petition stands disposed of with the above observations. No costs.

(K.SURENDER, J)
12.12.2025

NCC :Yes/No
Internet :Yes/No
Index :Yes/No
PKN



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