

W.P.(MD) No.22597 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.22597 of 2022

P.Vadivel

... Petitioner

Vs.

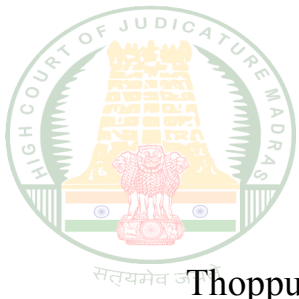
1.The State of Tamil Nadu rep.by
its Secretary,
Housing and Urban Development,
Fort St.George, Chennai 600 009.

2.The Tamil Nadu Housing Board,
rep.by its Managing Director,
No.331, Anna Salai, Nandanam,
Chennai – 35.

3.The Executive Engineer cum Administration Officer,
Madurai Housing Scheme,
Tamil nadu Housing Board,
Ellis Nagar, Madurai 625 010.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 03.08.2022 and order to reconveyance of the lands in S.No.47/2B an extent of 0.10.5 Ares and S.No.47/3 an extent of 0.09.5 Ares S.No.47/5 extent of 0.28.0 Ares in



W.P.(MD) No.22597 of 2022

Thoppur Village, Thirupparankundram Taluk, Madurai District within the time limit as fixed by this Court.

For Petitioner : Mr.M.Karthikeyavenkitachalapathy
For Respondents : Mrs.K.Malathi,
Additional Government Pleader, for R1.
: Mr.S.Sivakumar, for R2 and R3.

ORDER

The Writ Petition has been filed seeking a direction to the respondents to consider his representation, dated 03.08.2022, seeking reconveyance of his lands in S.No.47/2B, S.No.47/3, S.No.47/5 in Thoppur Village, Thirupparankundram Taluk, Madurai District.

2. Heard the arguments of Mr.M.Karthikeyavenkitachalapathy, learned counsel appearing for the petitioner and Mrs.K.Malathi, learned Additional Government Pleader appearing for the respondents 1 and 2 and Mr.S.Sivakumar, learned counsel appearing for the third respondent.

3. According to the petitioner, the subject property belongs to the petitioner was acquired by the Government for the benefit of the second



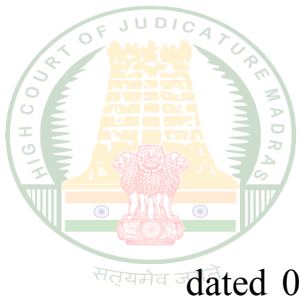
W.P.(MD) No.22597 of 2022

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respondent Board. The notification under Section 4(1) of Land Acquisition Act was issued in the year 1986 and the Section 6 declaration was issued in the year 1988. However, till date, the land acquired from the petitioner has not been utilized for the purpose for which, it was acquired. Therefore, petitioner submitted the representation before the respondents on 03.08.2022, seeking reconveyance of the land under Section 48 (B) of Land Acquisition Act. The same has not been considered. Hence, the petitioner has come before this court.

4. The learned counsel appearing for the third respondent filed counter affidavit and opposed the prayer on the ground that the subject property is part and parcel of the larger scheme promoted by the third respondent and therefore, the same is very much required for full implementation of the scheme.

5. Whether the subject property is required for the purpose for which it was acquired or not is the matter to be decided by the Government. Therefore, without expressing any opinion on the merits of the matter, the first respondent is directed to consider the representation of the petitioner,



W.P.(MD) No.22597 of 2022

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dated 03.08.2022 and pass final orders on its own merits after giving due opportunity to petitioner and the respondents 2 and 3 within a period of 12 weeks from the date of receipt of copy of this order.

6. With the above directions, this Writ Petition is disposed of.

No costs.

09.07.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

das

To

1.The Secretary,
Housing and Urban Development,
Fort St.George, Chennai 600 009.

2.The Managing Director,
No.331, Anna Salai, Nandanam,
Chennai – 35.

3.The Executive Engineer cum Administration Officer,
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S.SOUNTHAR,J.

das

W.P.(MD) No.22597 of 2022

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