



W.P.(MD) No.15864 to 15866 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) Nos.15864, 15865 & 15866 of 2018

1 A.Ganesan
(Died)

2 G.Sundaravalli

3 G.Balaji Ganesan,

4 G.Badri Narayanan

5 G. Saibaba ...Petitioners in W.P.(MD) No.15864/2018

(Petitioners 2 to P5 are substituted
vide Court Order, dated 24.03.2025,
in W.M.P.(MD) No.7807 of 2022)

A.Radhakrishnan ...Petitioner in W.P.(MD) No.15865/2018

G.Padmanabhan ...Petitioner in W.P.(MD) No.15866/2018

Vs

1 The Commissioner and Secretary
to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.



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- 2 The District Collector,
Tuticorin District,
Collectorate,
Tuticorin - 628 101.
 - 3 Tamil Nadu Housing Board,
Rep. by its Chairman,
Anna Salai, Nandanam,
Chennai - 600 035.
 - 4 The Executive Engineer and
Administrator,
Tirunelveli Housing Unit,
E.B.Colony,
Tirunelveli - 627 011.
 - 5 The Tahsildar,
Tuticorin Taluk,
Tuticorin - 628 101.
- ... Respondents in all W.Ps.

PRAYER in W.P.(MD) No.15864/2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents 2 and 5 to restore all the revenue records pertaining to the lands to an extent of 20 cents bearing Plot Nos.4, 5, 6, and 7 in Survey No.497/2 in Meelavittan Village, Tuticorin Taluk and District, from the names of the 3rd and 4th respondents to the name of the petitioners and to issue a fresh computerized patta in the name of the petitioners pertaining to the property and all the other further and consequential proceedings.



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PRAYER in W.P.(MD) No.15865/2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents 2 and 5 to restore all the revenue records pertaining to the lands to an extent of 11.50 and 21.50 cents bearing Plot Nos.1, 2 and 3 in Survey No.497/2 in Meelavittan Village, Tuticorin Taluk and District, from the names of the 3rd and 4th respondents to the name of the petitioner and to issue a fresh computerized patta in the name of the petitioner and all the other further and consequential proceedings.

PRAYER in W.P.(MD) No.15866/2018 : Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents 2 and 5 to restore all the revenue records pertaining to the lands to an extent of 18.75 cents bearing Plot Nos.35, 36, 37 and 38 in Survey No.497/2 in Meelavittan Village, Tuticorin Taluk and District, from the names of the 3rd and 4th respondents to the name of the petitioner and to issue a fresh computerized patta in the name of the petitioner and all the other further and consequential proceedings.



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For Petitioners in all W.Ps.: Mrs.P.Jessi Jeeva Priya

For Respondents 1, 2 & 5 in all W.Ps.: Mr.M.Gangatharan,
Govt. Advocate.

For Respondents 3 & 4 in all W.Ps.: Mr.S.Velmurugan,
Standing Counsel.

COMMON ORDER

These Writ Petitions are filed, seeking a direction to respondents 2 and 5 to restore all the revenue records pertaining to the lands situated in Plot Nos.1,2,3,4,5,6,7,35,36,37 and 38 in Survey No.497/2 in Meelavittan Village, Tuticorin Taluk and District, from the names of third and fourth respondents to the names of petitioners.

2. It is the case of the petitioners that the subject property belonged to one Grace Raja Rathinammal. The petitioners purchased the said property under three different sale deeds, dated 19.03.1984, and thus became the owners of the property. The first respondent issued a notification under Section 4 (1) of the Land Acquisition Act,1894, on 03.07.1985 for acquiring the subject land for the benefit of the third respondent. Subsequently, the preliminary notification was confirmed by Section 6 Declaration, dated 30.07.1986. The petitioners filed two writ petitions in W.P.Nos.8146 and 8147



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of 1987, challenging the 4 (1) Notification issued by the first respondent, and the same came to be allowed by an order of this Court, dated 15.06.2001. Therefore, the acquisition proceedings, initiated in respect of the subject property, stood quashed. In the meantime, the revenue records for the subject property were transferred in the names of third and fourth respondents. Therefore, the writ petitioners submitted series of representations, seeking restoration of all revenue records in their names, but the same have not been considered. Hence, the petitioners preferred writ petitions in W.P.Nos.22252, 22253 and 22254 of 2015, seeking a direction to the respondents to restore the revenue records in their names. The said writ petitions were disposed of on 11.12.2015, directing the second respondent to consider the request of the petitioners to restore the revenue records and pass orders on its own merits. In spite of the direction issued by this Court in the above mentioned writ petitions, the second respondent has not passed any orders for restoration of revenue records in the names of petitioners.

3. It is not in dispute that the land acquisition proceedings initiated by the first respondent for the benefit of the third respondent were quashed by this Court by its order in W.P.Nos.8146 and 8147 of 1987, dated 15.06.2001. When the land acquisition proceedings are quashed, there is no justification for keeping the revenue records in the names of beneficiaries of



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land acquisition, namely, respondents 3 and 4. It is also not the case of respondents 3 and 4 that the orders of this Court in the above mentioned writ petitions were challenged in appeal. Therefore, it is undisputed that the order of this Court, quashing the land acquisition notification, had attained finality. Under these circumstances, respondents 2 and 5 are not justified in keeping the revenue records in the names of respondents 3 and 4. Accordingly, the petitioners are entitled to the relief sought for. Respondents 2 and 5 are directed to mutate the revenue records pertaining to the subject property in favour of the petitioners within a period of four weeks from the date of receipt of copy of this order.

4. All the Writ Petitions stand allowed accordingly. No costs.

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

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