



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 16207 of 2023

&

WMP No.15594 of 2023

N.Radha

D/o. N.Narayanappa, Door No. 3/486, Singiripalli

Hamlet, Meenanthotti Village, Soolagiri

Taluk, Krishnagiri District.

..Petitioner(s)

Vs

1. The Secretary to Government,
Adi Dravidar Tribal Welfare Department,
Government of Tamil Nadu, Fort St.George,
Chennai - 600 009.
2. The District Collector,
Krishnagiri District, Krishnagiri.
3. The Special Tahsildar,
Adi Dravidar Welfare (Land Acquisition)
Hosur Taluk, Krishnagiri District.

..Respondent(s)

PRAYER: This writ petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Declaration to declare the Land Acquisition proceedings initiated by the respondents in respect of Property situated in



Survey No. 78/1-C of Singiripalli of Meenanthotti Village, Soolagiri Taluk, Krishnagiri District with an extent of 0.74.5 hectare deemed to have been lapsed u/s 24(2) of the Right to fair compensation and Transparency in Land Acquisition, Rehabilitation and Restelement Act, 2013.

For Petitioner(s): Mr.V.Raghavachari, Senior Advocate
for Mr.D.Rajagopal

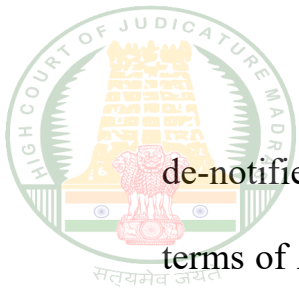
For Respondent(s): Mr.U.Baranidharan, Govt. Pleader

ORDER

The petitioner asserts that she became the owner of land in S.No.78/1C under settlement deed bearing document No.566 of 1997. She also states that she is in possession and enjoyment of the property and ekes out her livelihood from the agricultural income derived therefrom.

2. According to the petitioner, her land was acquired by the Government under Act 31 of 1978 and that patta was issued to 33 persons. Subsequently, it was found that all the persons to whom patta was issued were ineligible. Given the fact that the petitioner is still in possession, the petitioner prayed for a declaration that the land acquisition proceedings have lapsed under Section 24(2) of Act 30 of 2013.

3. Although the relief claimed was under Section 24(2) of Act 30 of 2013, learned senior counsel for the petitioner submitted that the land is liable to be

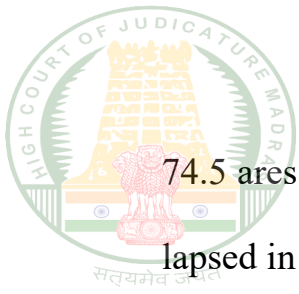


de-notified on account of the acquisition not fulfilling the intended purposes in terms of Act 31 of 1978. By referring to Section 4(1) of this enactment, learned

senior counsel contends that the acquisition should be for a specific Harijan Welfare Scheme. In the case at hand, he submits that the agreed position is that all 33 persons to whom patta was issued were found to be ineligible. He places strong reliance on the judgment of the Division Bench of this Court in *K.N.Ramachandran v. Muthumari and Others*, judgment dated 08.11.2023 in *W.A.No.908 of 2014*, particularly.

paragraphs 16 to 19 thereof. In that case, learned senior counsel submits that the Court found that pattas were issued to 50 persons and that 47 pattas were cancelled as early as in 2018. Therefore, he submitted that the Division Bench concluded that the scheme had become unworkable. Likewise, in this case, learned senior counsel submits that the scheme has become unworkable and that, unlike in acquisitions under the Land Acquisition Act, 1894 or Act 30 of 2013, the lands cannot be used for any other public purposes. He also adds that the petitioner was born deaf and dumb and is dependent on her land for livelihood.

4. In response to these contentions, Mr.Abhishek Murthy, learned Government Advocate, points out that the compensation was deposited in the Sub Court, Hosur, in the year 1998. He has placed on record the original records pertaining to the deposit of a sum of Rs.52,904/- in respect of land admeasuring



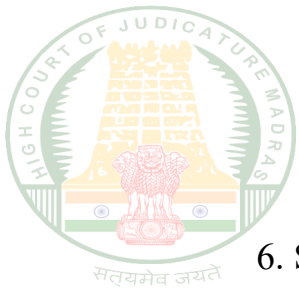
74.5 acres in S.No.78/1C. In view thereof, he submits that the acquisition has not lapsed in terms of Section 24(2) of Act 30 of 2013. In any event, he submits that

the said provision is not applicable to special statutes such as Act 31 of 1978.

His next contention is that the acquisition under the statute is for a Harijan Welfare Scheme and is not limited to the beneficiaries originally identified.

Therefore, notwithstanding the cancellation of pattas to the original beneficiaries, he submits that no case is made out for granting relief to the petitioner.

5. The agreed position is that the petitioner's land was acquired under Act 31 of 1978. Unlike the Land Acquisition Act, 1894 or Act 30 of 2013, the said statute does not contain a provision for re-conveyance. Undoubtedly, as contended by learned senior counsel for the petitioner, unlike general land acquisition statutes, the acquired land cannot be put to any other public purpose. It should be used only for a Harijan Welfare Scheme. Neither the petitioner nor the State has placed the Scheme on record. Learned Government Advocate has placed on record the notification issued under Section 4(1) of the statute. This notification indicates that the lands are required for a Harijan Welfare Scheme and contain particulars of the lands proposed to be acquired. The petitioner has also failed to submit any document indicating that the land was acquired for the benefit of any specific individuals belonging to the Dalit community.



6. Section 4(1) reads as under:

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4. Power to acquire land:- (1) *Where the District Collector is satisfied that, for the purpose of any Harijan Welfare Scheme, it is necessary to acquire any land, he may acquire the land by publishing in the District Gazette a notice to the effect that he has decided to acquire the land in pursuance of this section.”*

From the text of Section 4(1), it appears that the District Collector should be satisfied that the land is required to be acquired for the purpose of any Harijan Welfare Scheme. There is nothing in the language of Section 4(1) which indicates that the beneficiary should be identified before the scheme is framed or that the land should be used only for the purpose of identified and specific beneficiaries.

7. The sheet anchor of the petitioner’s case is the judgment of this Court in *K.N.Ramachandran*. In that case, as is evident from paragraph 17 thereof, the Division Bench concluded that the acquisition was for the specific purpose of allotting land to 50 poor and homeless adi dravidars. After noticing that 47 out of 50 persons were ineligible and that the pattas were cancelled, this Court directed de-notification.

8. By contrast, as recorded earlier, there is nothing on record to indicate

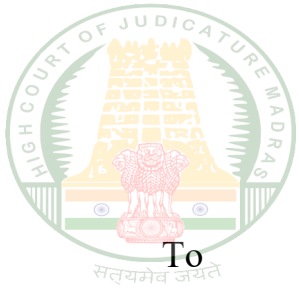


that the present acquisition was for the benefit of the identified pattadhars, whose pattas were subsequently cancelled. As noticed earlier, this special statute also does not contain any provision for reconveyance. The acquisition was undertaken in the year 1997 and the compensation relating to the petitioner's land was deposited before the Sub Court, Hosur in 1998. In these circumstances, I see no reason to grant the relief claimed by the petitioner. Therefore, the writ petition is disposed of without any order as to costs by leaving it open to the petitioner to claim the compensation in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

05-02-2026

Neutral Citation: Yes/No

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To

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Krishnagiri District.



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SENTHILKUMAR RAMAMOORTHY, J.

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