

WP.No.181 of 2021
&WMP.Nos.245 & 248 of 2021

N.SESHASAYEE, J.,

WWW.LIVELAW.IN

If the allegations made in the affidavit filed in support of the petition were to be accepted on their face value, then, it only exposes the calousness with which the Authorities in this District deal with the right to properties of the citizens.

2. Some 16 years back, to be precise on 30.12.2004, a 4(1) notification was issued under the Provisions of the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978 for acquiring the lands of the petitioners. This was challenged by the petitioners in a batch of two Writ Petitions in W.P.Nos.4483 and 6247 of 2006. On 29.09.2010, these Writ Petitions were allowed by this Court. Indeed, in paragraph 15 of the order, this Court has even provided a legal advice to the State Government/concerned Authorities to go for fresh acquisition following the due process of law. Unfortunately, till date it has not been done. In the meantime, the petitioner has been running from pillar to post to have their properties re-mutated in their names. Even that was of no avail. Hence, the petitioners have approached this Court with this Writ Petition.

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3.To continue with the opening line, if these allegations were true then it only displays the apathy with which the Authorities deal with the right to property of the citizens of this country. They need to be told that right to property has a close nexus to right of life within the meaning of Article 21 of the Constitution of India. By their action inaction, they have denied the right of these citizens at least for 10 years, and to that extent, they have transgressed the quality of life of the citizens of this Country within the meaning of Article 21 of the Constitution of India.

4.Mr.D.Raja, learned Additional Government Pleader takes notice for the respondents.

5.He is now required to make a statement as to the correctness of the allegations made.

6.Post the matter on 11.01.2021 under the caption 'for orders'.

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08.01.2021

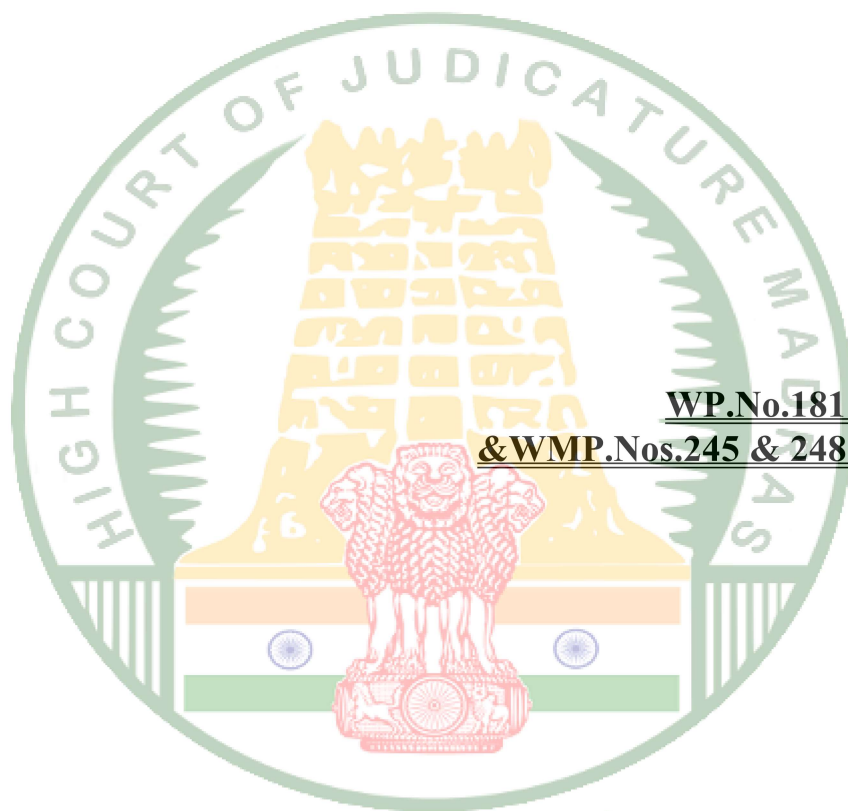
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Note: The Registry is directed to upload the order copy in the official website today itself (08.01.2021).

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N.SESHASAYEE, J.,

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