

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).3281/2006

(From the judgement and order dated 07/11/2005 in WA No.1990/2005 of
the HIGH COURT OF MADRAS)

VADIVELU & ANR.

Petitioner(s)

VERSUS

TAHSILDAR, THIRUPPUR TALUK, THIRUPPUR &ORS

Respondent(s)

(With prayer for interim relief)

Date: 09/02/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)

Mr. G. Sivabalamurugan, Adv.

Mr. Y. Arunagiri, Adv.

Mr. L.K. Pandey, Adv.

For Respondent(s)

Mr. R. Sundaravaradan, Sr. Adv.

Mr. V.G. Pragasam, Adv.

Mr. S. Vallinayagam, Adv.

Mr. S. Prabu Ramasubramanian, Adv.

UPON hearing counsel the Court made the following

O R D E R

By our order dated 18.8.2006, the Revenue Secretary was directed to affirm an affidavit stating therein as to on what basis the policy decision to sell the acquired lands for commercial purposes had been taken and as to whether the respondent Nos.1 to 3 herein had any authority to take the said policy decision. The only statement made by the Revenue Secretary in this regard is that the lands in question are Government lands and not acquired lands. That may be so, but then the State must evolve a policy decision in regard to the distribution of its largess in tune with Article 14 of the Constitution of India for the purpose of assignment of such lands also.

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The State must issue authorities in favour of such officers who, according to it, would be competent to deal with the matters.

Despite our orders dated 18.8.2006, the Revenue Secretary has

not in his affidavit stated as to whether the respondent Nos.1 to 3 had any authority to take any policy decision or to assign any land in favour of the petitioners or any other person.

Let the matter appear after four weeks. In the meantime, a better affidavit may be filed by the Revenue Secretary in terms of this order.

(A.S. BISHT)

BHARDWAJ)

COURT MASTER

(PUSHAP LATA

COURT MASTER