

(1951) 10 MAD CK 0019
In the Madras High Court
Case No : Writ Petition No. 429 of 1951

Chenna Satyavathi and Another

APPELLANT

Vs

The State of Madras

RESPONDENT

Date of Decision : 16-10-1951

Acts Referred:

Constitution of India, 1950 — Article 31

Citation : AIR 1952 Mad 252 : (1952) 65 LW 136 : (1952) 1 MLJ 41

Hon'ble Judges : Rajamannar, C.J;Venkatarama Ayyar, J

Bench : Division Bench

Advocate : T.S. Narasinga Rao and E. Balachandrudu, for the Appellant;

Final Decision : Dismissed

Judgement

1. The petitioners attack the validity of the proposed acquisition of lands including lands of an extent of 95 cents belonging to them for the purpose of providing house sites for the Adi Andhras, of a village in West Godavari District. The only point pressed before us is that provision of house sites for Adi Andhras is not a public purpose within the meaning of Article 31 of the Constitution, because in effect the result of the acquisition is to transfer property belonging to a certain individual to certain other individuals. We do not agree with this contention. From several provisions of the Constitution, it is clear that making provision for the advancement and development of the Harijan community is one of the avowed objects of the Government, both of the States and of the Union.

2. It follows that making provision for house sites for the houseless section of the community would be a public purpose within the meaning of Art. 31 of the Constitution. The application is therefore dismissed.