

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 1.6.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.282 of 2017
and
C.M.P.No.4476 of 2017

The Government of Tamil Nadu,
rep. by its Secretary,
Housing and Urban Development
Department,
Fort St. George, Chennai 600 009. Appellant/Respondent

Versus

- E.Krishnaveni (Died)
- 1.E.Raghupathy
- E.Lakshmipathy (Died)
- E.Jagadeswaran (Died)
2. V.Aravindan
- (1 to 5 are represented by their Power Agent
Mr.P.Sidda Reddy)
3. E.Sulochana
4. Anandhi
5. Vignesh
6. Ashok
7. Master Elumalai
(Rep. by his natural guardian as mother Anandhi)
8. Master Srinivasan
(Rep. by his natural guardian as
mother J.Anandhi) ..Respondents 1 to 8/Petitioners

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9. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai 600 035.

10. Mr.A.S.Dilipan

11. The Commissioner,
Ambattur Municipality,
Ambattur, Chennai-53.

12. T.S.Krishna Nagar Welfare Association
(Regn.No.94/1985) rep. by its
President S.K.Babu
having office at No.1488, T.S.Krishna Nagar,
Anna Nagar West Extn., Chennai-37.

13. The Commissioner,
Corporation of Chennai, Chennai-35.

14. T.Adilakshmi

15. K.Vimala

16. R.Ramani

17. Latha

18. Shanthi

19. D.Saravanan

20. Samuel

21. Alamelu

22. Karthi

23. Rathnam

(17 to 26 are represented by their
Power Agent C.Sudhakar Reddy)

Respondents 9 to 23/

Respondents 2 to 16

Given up 9 to 23th hence notice
may be dispense with)

Prayer: Writ Appeal filed filed under Clause 15 of the Letters
Patent against the order dated 29.1.2014 passed in W.P.No.32034
of 2007 on the file of this court.

Prayer in WP.No.32034 of 2007:

Writ Petition is filed for a Writ of Certiorarified Mandamus,
calling for the records of the first respondent Letter No.
7189/L.A.(1)/07-4 dated 03.08.2007 for the property in
relation to the property bearing Survey No. 296/2 Mugappair
Village measuring an extent of 1 Acre 17 Cents and quash the
same and direct the second respondent to reconvey the land in
Survey No. 296/2 Mugappair Village measuring an extent of 1
Acre 17 cents to the petitioners herein

For appellant : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

For RR 1 to 8 &
14 to 23 : Mr.K.P.Chandrasekaran

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard Mr.P.S.Shanmugasundaram, learned Special Government Pleader appearing for the appellant and Mr.K.P.Chandrasekaran, learned counsel, who takes notice on behalf of respondents 1 to 8 and 14 to 23.

2. In compliance of the orders passed in S.L.P.(C) No.20653 of 2015, giving liberty to the petitioners for invoking the provisions of section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and directing the State of Tamil Nadu to consider the claims of the petitioners for return of the land on the basis of the provisions of Section 48B read with Section 16-B of the Land Acquisition (Tamil Nadu Amendment) Act, 1996, the Government, has taken a decision rejecting the claim of the petitioners regarding the applicability of the said provision. Thereafter, the said decision of the Government was placed before the Apex Court in the pending SLP and the Apex Court, having noted the decision of the Government, by order dated 23.2.2017, held that no interference against the decision taken by the Government could be made, rather a liberty was given to the petitioners to move the appropriate authority and also to raise all such contentions before the authority.

3. In this regard, it appears that the petitioners have filed a fresh writ petition which is pending consideration. As such, in this appeal nothing survives for consideration. Accordingly, the same is disposed leaving open to the petitioners to raise also their contentions in the pending writ petition. No costs. The connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

ssk.

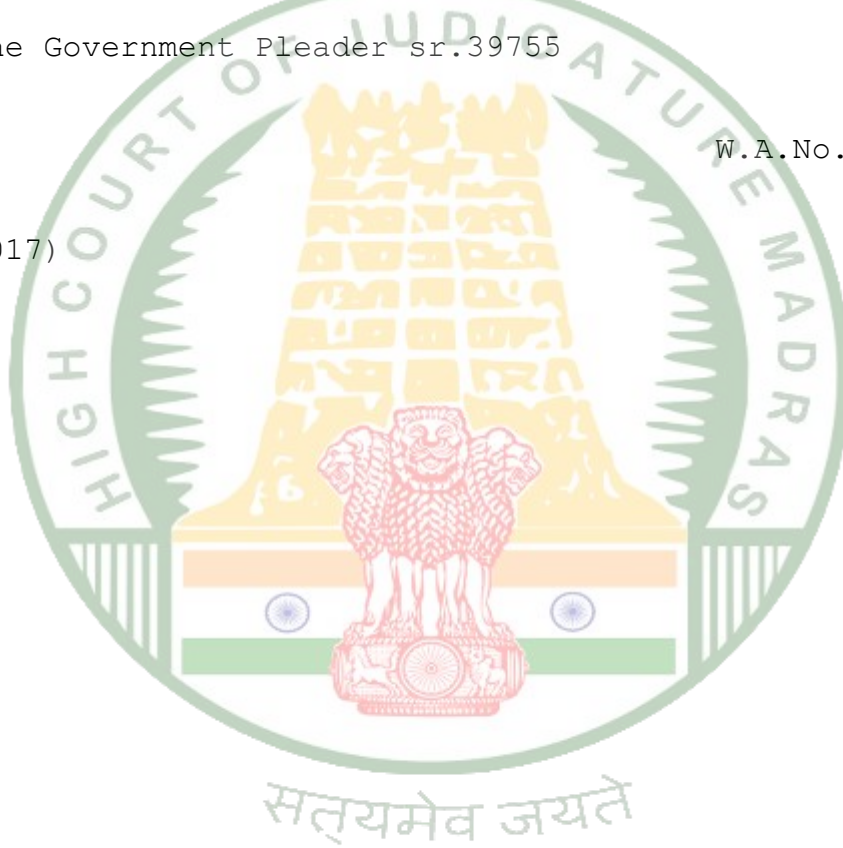
To:

1. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai 600 035.
2. The Commissioner,
Ambattur Municipality,
Ambattur, Chennai-53.
3. The Commissioner,
Corporation of Chennai, Chennai-35.

+1cc to the Government Pleader sr.39755

W.A.No.282 of 2017

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ss(21/6/2017)



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