

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.No.9484 of 1986

Velusamy

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Petitioner

Vs

1. The State of Tamil Nadu  
Represented by the Commissioner and  
Secretary to Government,  
Housing and Urban Development  
Department, Fort St.George,  
Madras-9.

2. The Special Tahsildar,  
(Land Acquisition),  
Neighbourhood Scheme,  
Namakkal, Salem District.

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Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records of the respondents connected with the G.O.Ms.No.538, Housing and Urban Development dated 07.07.1984 published in Tamil Nadu Government Gazette dated 18.07.1984 and quash the same insofar as the petitioner's land comprised in S.Nos.80/1, 80/6 and 81/1 in Ayyemperumalpatti Village, Salem.

For Petitioner : Mr.V.Sekar

For Respondents : Mr.M.Karthikeyan

Additional Government Pleader

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O R D E R

In this case, the petitioner has challenged the acquisition proceedings initiated under the provisions of the Land Acquisition Act, 1894, that commenced in the year 1984. Vide order dated 16.11.1996, this Court allowed the petitions along with other three cases. Challenging the same, the State has preferred an appeal against all the four cases in W.A.Nos.30 to 33 of 2003 and the Division Bench has set aside the order and remanded the matter back to this Court. Thereafter, the State

has issued a fresh notification as concerning the property of the petitioner in this case, and the petitioner again challenged the same rather unsuccessfully in writ petition. Thereafter, they again moved with writ petition in W.P.No.32416 of 2014 seeking a prayer invoking Section 24(2) of the Central Act, 30 of 2013 and this Court vide its order dated 18.12.2014, allowed the same.

2. The learned counsel for the petitioner submitted that to his knowledge, the State has not preferred any appeal challenging the order in W.P.No.32416 of 2014 dated 18.12.2014. He added that inasmuch as the State has opted to issue a fresh notification to acquire the lands, the challenge made by the petitioners to the first notification no more survives and hence this proceeding has become infructuous.

3. The learned counsel circulated the copy of this order in W.P.No.32416 of 2014. The statement of the learned counsel for the petitioner is recorded. This writ petition is closed as infructuous. No costs.

Sd/-  
Deputy Registrar

/true copy/

Sub Asst. Registrar

ssn

To

1. The Commissioner and  
Secretary to Government,  
Housing and Urban Development  
Department, Fort St.George,  
Madras-9.

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(Land Acquisition),  
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