

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.3921 of 2019

1. K.Rengasamy
2. K.Kalaichelvan
3. K.Nalliah
4. K.Perumal

Son of Late N.Karuppannan,
No.45, Taman MatahariCerah,
Kampung Raja,
39010 Cameron Highlands,
Pahang DarulMakmur, Malaysia.

5. K.Letchime
6. K.Karapayee
7. K.Saroja
8. K.Ambigapathi
9. K.Pakiyam

(Petitioners 1 to 3 and 5 to 9 are
rep. by their Power of Attorney Agent
fourth petitioner, K.Perumal.

.... Petitioners

Vs.

1. State of Tamil Nadu,
Rep by its Secretary to Government,
Revenue Department,
Fort St. George, Chennai 9.

2. The Special Tahsildar
Land Acquisition (Master Plan Complex),
Namakkal.

3. The Land Acquisition Officer,
and Revenue Divisional Officer,
Namakkal.

... Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Declaration, to declare that the acquisition of the 1st

respondent in 4 (1) notification in GO.Ms. No. 466 Revenue Department, dated 5.6.1998 and the proceedings of the 3rd respondent in Na. Ka.No.10654/ 2009 (A7) dated 22.2.2010 as invalid and void in so far as it relates to lands comprised in Survey No.375/1C measuring an extent of 0.14.5 Hec., S.No. 375/2 measuring an extent of 4.92.5 Hec., S. No. 396/1 measuring an extent of 1.28.5 Hec. and S. No. 396/2 measuring an extent of 1.19.5 Hec. in all totally measuring an extent of 7.55.0 Hec. (18.65 Acres) situated at Siluvampatty Village, Namakkal Taluk, Namakkal District belonged to the petitioners herein as the said notification issued under Sec. 4 (1) of the Land Acquisition Act, 1894 got lapsed both under the provisions of Land Acquisition Act, 1894 and under Section 24(1)(a) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No.30 of 2013), which came into force on 01.01.2014.

For Petitioners : Mr.V.P.Sengottuvel

For Respondents : Mr.D.Raja
Additional Government Pleader

O R D E R

The learned Additional Government Pleader, on instructions, would submit that the Sub Collector, issued a Proceedings in Na.Ka.No.10654/2009, (A7), dated 04.03.2019, wherein, it has been stated that as per the Government Order in G.O.Ms.No.466, Revenue Department, dated 05.06.1998, acquisition proceedings, dated 31.12.2009 were initiated by the Government for the purpose of construction of Master Plan Complex, however, the same was lapsed in view of expiry of notice issued under Section 4(1) of the Land Acquisition Act, 1894. It is further stated in the Proceedings that the respondents will not proceed further and the acquisition proceedings is dropped for the time being. Recording the proceedings of the Sub Collector, dated 04.03.2019, this Writ Petition is disposed of. There is no order as to costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

r n s

To

1. The Secretary to Government,
Government of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai 9.
2. The Special Tahsildar
Land Acquisition (Master Plan Complex),
Namakkal.
3. The Land Acquisition Officer,
and Revenue Divisional Officer,
Namakkal.
4. The Sub Collector,
Namakkal.

+1cc to Mr.V.P.Sengottuvel, Advocate, S.R.No.21179

+1cc to the Government Pleader, S.R.No.20939

W.P.No.3921 of 2019

LN(CO)
SSM(01/04/2019).



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