

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.16951 and 16952 of 2011

And

M.P.Nos.1 and 1 of 2011

Kalavathi
Gunduraju

... Petitioner in W.P.No.16951/2011

... Petitioner in W.P.No.16952/2011

Vs.

- 1.Government of Tamil Nadu
By Secretary Housing and Urban Development,
Fort St.George, Chennai.1st Respondent in both theW.Ps.
- 2.The Special Tahsildar (Land Acquisition)
Housing Scheme, Hosur,
Tamil Nadu Housing Scheme,
Hosur.2nd Respondent in W.P.No.16951/2011
- 2.The Special Tahsildar, Land Acquisition, Tamil Nadu
Housing Scheme, Hosur2nd Respondent in W.P.No.16952/2011
- 3.The Executive Engineer,
Tamil Nadu Housing Board,
Hosur.
- 4.Tamil Nadu Housing Board,
By its Chairman,
493, Anna Salai,
Nandanam, Chennai - 35.

(R4 - Impleaded as per Order
dated 28.10.2011 by VDPJ in
MPs.2/11 (2 MPs) in W.Ps.16951
and 16952 of 2011)

... Respondents 3&4 in both the W.Ps.

Prayer in W.P.No.16951 of 2011:

Petition filed under Article 226 of the Constitution of

India to issue a Writ of Mandamus directing the respondents to reconvey the lands situated at Hosur Village, Krishnagiri Taluk, Krishnagiri District 1) Dry Survey No.240/1 - Hectares 0.90.0 2) Dry Survey No.241/1 - Hectares 0.37.0 3) Dry Survey No.241/2 - Hectares 0.05.0 (Total Hectares 1.32.0) acquired from the petitioner to the petitioner and restores her possession thereof in view of non payment of compensation as per the decree and judgment passed by the Hon'ble High Court, Madras in A.S.No.125/2000 dated 7.7.2009.

Prayer in W.P.No.16952 of 2011:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to reconvey the lands situated at Hosur Village, Krishnagiri Taluk, Krishnagiri District 1) Dry Survey No.240/1 - Hectares 0.90.0 2) Dry Survey No.241/1 - Hectares 0.37.03) Dry Survey No.241/2 - Hectares 0.05.0 (Total Hectares 1.32.0) acquired from the petitioner to the petitioner and restores his possession thereof in view of non payment of compensation as per the decree and judgment passed by the Hon'ble High Court, Madras in A.S.No.125/2000 dated 7.7.2009.

For Petitioner : M/s.Surana and Surana

For Respondents : Mr.M.Elumalai for R1 and R2
Government Advocate
Dr.R.Gowri for R3 and R4

C O M M O N O R D E R

The learned counsel appearing for the petitioners would submit that the prayer sought for in these writ petitions are not maintainable. Hence, it would suffice if this Court issues a direction to the respondents to deposit the amount awarded by this Court in A.S.No.125 of 2000 on 07.07.2009.

2.The learned Government Advocate appearing for the respondents 1 and 2 conceded to the request made by the learned counsel appearing for the petitioners.

3.Considering the limited request made by the learned counsel appearing for the petitioners, I am not inclined to issue any positive direction in favour of the petitioners. However, I am inclined to issue a direction to the respondents to deposit the award amount as per the decree and judgment passed by this Court in A.S.No.125 of 2000 dated 07.07.2009, within a period of twelve weeks from the date of receipt of a copy of this order.

4.The writ petitions are accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

pri
To

- 1.The Secretary, Housing and Urban Development,
Fort St.George, Chennai.
- 2.The Special Tahsildar (Land Acquisition)
Tamil Nadu Housing Scheme,
Hosur.
- 3.The Executive Engineer,
Tamil Nadu Housing Board,
Hosur.
- 4.Tamil Nadu Housing Board,
By its Chairman,
493, Anna Salai,
Nandanam, Chennai - 35.

+2cc to Mr.Surana and Surana Advocate, S.R.No.70881, 70882
+1cc to the Government Pleader, S.R.No.71211

NRL(CO)
CB(25/09/2019)

W.P.Nos.16951 and 16952 of 2011
And

M.P.Nos.1 and 1 of 2011

WEB COPY