

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM :

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.18529 of 2014

and

M.P.No.1 of 2014

1.P.Lalithamma
2.P.Udhaya Kumar
3.P.Anandan
4.P.Prem Kumar

... Petitioners

Vs.

1.State of Tamil Nadu,
Represented by its Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai – 600 009.

2.The Tamil Nadu Housing Board,
Represented by its Managing Director,
Nandhanam, Chennai – 600 035.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents to reconvey the land comprised in Survey No.956 in Hosur Town, Krishnagiri District, measuring a total extent of 1.19 acres (½ share).

For Petitioners : Mr.C.Samivel

For R1 : Mr.M.Elumalai
Additional Government Pleader

For R2 : Dr.R.Gouri

ORDER

The petitioners have filed the above writ petition to issue a writ of mandamus directing the respondents to reconvey the land comprised in Survey No.956 in Hosur Town, Krishnagiri District, measuring a total extent of 1.19 acres (½ share).

2.It is the case of the petitioners that, though the respondents have acquired the petitioners' lands, they have not utilised the same for any purpose. Therefore, the respondents should be directed to reconvey the land.

3.Dr.R.Gouri, learned counsel appearing for the 2nd respondent, submitted that, after acquiring the lands belonging to the petitioners, a

layout was formed in the year 1998 and plots were also sold to the prospective buyers and sale deeds were also issued as early as in the year 2017 itself. Further, the learned counsel submitted that there is no provision under the amended Land Acquisition Act for reconveying the land to the petitioners.

4.Since the respondents have already utilised the lands by allotting the same to the prospective buyers, the prayer sought for in this writ petition cannot be granted. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

10.09.2020

Internet : Yes
Index : Yes/No
Speaking order / Nonspeaking order

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M. DURAISWAMY, J.

mkn

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George, Chennai – 600 009.
- 2.The Managing Director,
Tamil Nadu Housing Board,
Nandhanam, Chennai – 60 035.



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