



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]Nos.24798 to 24801 of 2018

and

W.M.P. (MD) .Nos.22482 to 22485 of 2018

Arunachalam Ambalam ... Petitioner in W.P(MD).No.24798 of 2018
Nasser Ali ... Petitioner in W.P(MD).No.24799 of 2018
Pitchai Manikam ... Petitioner in W.P(MD).No.24800 of 2018
J.Ahmed Basheer ... Petitioner in W.P(MD).No.24801 of 2018

Vs.

1. The Union of India,
Rep. by its Joint Secretary (Judicial),
Minsitry of Home affairs,
NDCC - II Building,
Jai Singh Road,
New Delhi - 110 001.
2. The State of Tamil Nadu,
Rep. by its Secretary,
Department of Law,
Fort St. George,
Chennai.
3. The Additional Chief Secretary,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Fort. St George,
Chennai.
4. The District Collector,
Ramanthapuram District,
Ramanathapuram.
5. The District Revenue Officer,
Cum Competent Authority,
Ramanthapuram,
Ramanthapuram District. ... Respondents in All Writ Petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Declaration, to declare the Right to Fair Compensation and Transparency in Land



Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment), Act, 2014, (Tamil Nadu Act No.1 of 2015) as unconstitutional and therefore void.

For Petitioners : Mr.M.Mahaboob Athifi
for M/s.Ajamal Associates
(in all Writ Petitions)
For Respondents : Mr.M.Karthikeya Venkitachalapathy,
For R1.Mr.R.Baskaran,
Standing Counsel for Govt,
For R2 to R5.
(in all Writ Petitions)

C O M M O N O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

In all these Writ Petitions, prayer sought for by the petitioners is that, to declare the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment), Act, 2014, (Tamil Nadu Act No.1 of 2015) as unconstitutional and therefore void.

2. It is submitted by the learned counsel for the petitioners that the petitioners have separately challenged the Land Acquisition Proceedings and in the said writ petitions, interim orders protecting their possession have been granted and those writ petitions are pending before the learned Single Bench. The learned counsel for the petitioners also submitted that in the light of the recent order passed by the Hon'ble Supreme Court, the validation of the Act passed by the State Government has been upheld. Hence, the prayers sought for by the petitioners cannot be entertained.

3. In the light of the above, the orders passed in these Writ Petitions will not prejudice the rights of the petitioners to contest the validity of the land acquisition proceedings on other grounds.

4. Accordingly, these Writ Petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

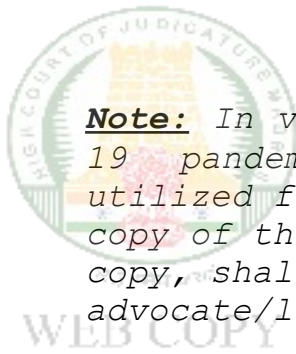
Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Joint Secretary (Judicial),
Union of India,
Ministry of Home affairs,
NDCC - II Building,
Jai Singh Road,
New Delhi - 110 001.
2. The Secretary,
State of Tamil Nadu,
Department of Law,
Fort St. George, Chennai.
3. The Additional Chief Secretary,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Fort. St George,
Chennai.
4. The District Collector,
Ramanthapuram District,
Ramanathapuram.
5. The District Revenue Officer,
Cum Competent Authority,
Ramanthapuram,
Ramanthapuram District.

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VR (CO)
KB(14.07.2021) 3P 6C