



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21279 of 2015

1.R.Munivenkatappa
2.R.Logesh

.. Petitioners

- vs -

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.

2.The Tamil Nadu Housing Board,
Rep. by its Chairman and Managing Director,
Nandanam,
Mount Road, Chennai - 600 035.

3.The District Collector,
Krishnagiri District.

4.The Special Tahsildar,
Land Acquisition,
Housing Scheme,
Hosur - 635 109.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondents to consider the petitioners' representation dated 10.06.2015 and pass appropriate orders within the period stipulated.

For Petitioner : Mr.K.Rajasekaran

For Respondents-1,3 & 4 : Mr. P.Sathish
Additional Government Pleader

For Respondent-2 : Mr.D.Murugan, Standing Counsel



ORDER

WEB COPY The present writ petition has been filed seeking a direction to the respondents to consider the petitioners' representation dated 10.06.2015.

2. The learned counsel for the petitioners submitted that the petitioners are the owners of land in survey No.798/1 to an extent of 0.57.5 hectares in Chennathur Post, Hosur Taluk, Krishnagiri District. The respondents 1 and 2 had acquired the above land for the purpose of providing house sites to the public, for which notification under Section 4(1) of the Land Acquisition Act was issued on 31.05.1991 and thereafter declaration under Section 6 of the Act was published in Government Gazette on 01.09.1992. Thereafter, the land acquisition proceedings were initiated. But till date no award has been passed in respect of the petitioners land and no compensation was paid. Since the entire land acquisition proceedings initiated by the respondents become lapsed in view of Section 24(2) of the Right to Fair Compensation Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the petitioners have filed a writ petition in W.P.No.16248 of 2015 before this Court. This Court by order dated 09.06.2015, dismissed the writ petition as withdrawn and granted liberty to the petitioners to submit a representation with regard to the non-passing of the award. Thereafter, the petitioners sent a representation on 10.06.2015 to the respondents to re-convey the land in survey No.798/1 to an extent of 0.57.5 hectare in Chennathur Post, Hosur Taluk, Krishnagiri District. However, till date no award has been passed and compensation was not paid to the petitioners. Hence, the petitioners are before this Court.

3. Heard the learned counsel appearing on either side.

4. Though the petitioners filed a petition to re-convey the land, till date the land was not acquired in the manner known to law. Hence, re-conveyance does not arise. Considering the limited prayer sought for by the petitioners, this court directs the respondents to furnish the copy of the award, if passed already and if the land is acquired, pay the compensation to the petitioners, if not already paid.



5. With the above directions, this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

rsi

To

- 1.The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.
- 2.The Chairman and Managing Director,
Tamil Nadu Housing Board,
Nandanam, Mount Road,
Chennai - 600 035.
- 3.The District Collector,
Krishnagiri District.
- 4.The Special Tahsildar,
Land Acquisition,
Housing Scheme,
Hosur - 635 109.

+1cc to Mr.A.Swaminathan, Advocate SR.No.34303

+1cc to Government Pleader SR.No.34208

W.P.No.21279 of 2015

AJB (CO)
GMY (01/07/2022)