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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NOS. 947 AND 4561 OF 2016

AND

W.P.NOS. 4825, 4833, 4835, 4836, 5194, 6188, 7189,
7738 AND 13867 OF 2019

AND

W.M.P.NOS.709 AND 3927 OF 2016

AND

W.M.P.NOS.5902, 5491,5483, 5492, 5493, 5494, 5481, 5489, 7028,
7911, 8382, 13937 AND 13938 OF 2019

W.P.No.947 of 2016:

1.Narayanan

2.Jamuna

3.Srinivasan

4.Sankari

5.Adalarasu

... Petitioners

vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai - 9.

2. The Chairman,
Tamil Nadu Housing Board,
No.331, Anna Salai, Nandanam,
Chennai - 6000035.

... Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, directing that the entire Land Acquisition Proceedings initiated under 4(1) Notification under Land Acquisition Act, 1894 in G.O.Ms.No.447, Housing and Urban Development L.A. 1(2) dated 21.10.1999 and section 6 Declaration in G.O.(MS)No.494 Housing and Urban



Development Department LA(1) dated 06.12.2000 under the Land Acquisition Act, 1894 shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e, the Central Act 30 of 2013 in respect of the petitioner's property situated in S.No.682/2B to an extent of 0.32.5 hectares in Kuthambakkam Village, Ponnammallee Taluk, Thiruvallur District.

1 D.MANI
S/O.DURAIAPPAN

2 D.VENKATESAN
S/O.DURAIAPPAN

3 D.DHANABAGYAM
S/O.DURAIAPPAN

4 D.ELUMALAI
S/O.DURAIAPPAN

... PETITIONERS in WP No.4561 of 2016

1 R.KESAVAN

2 R.ELUMALAI

3 J.DHANANMMAL

... PETITIONERS in WP No.4825 of 2019

1 R.KESAVAN

2 R.ELUMALAI

3 J.DHANANMMAL

... PETITIONERS in WP No.4833 of 2019

1 R.KESAVAN

... PETITIONER in WP No.4835 of 2019

1 R.KESAVAN

2 R.ELUMALAI



3

J.DHANANMMAL

... PETITIONERS in WP No.4836 of 2019

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1

SANTHAKUMARI
W/O. LATE V.DEENABANDHU

2

PUSHPALATHA
D/O. VARADHARAMANUJAM

3

V.DEENADAYALAN
S/O.VARADHARAMANUJAM

4

V.JANARDHANAM
S/O.VARADHARAMANUJAM

5

V.VENKATESWARALU
S/O.VARADHARAMANUJAM

6

V.SRINIVASALU
S/O.VARADHARAMANUJAM

... PETITIONERS in WP No.5194 of 2019

1

ALAMELUAMMAL CHARITABLE TRUST
REP. BY ITS MANAGING TRUSTEE K.S.
RAJARAMAN S/O.SUBBURAMA NAIDU NO.1/137
SOUTH MADA STREET KUTHAMBAKKAM POST
CHENNAI 124.

... PETITIONER in WP No.6188 of 2019

1

SUSEELA
W/O.PARTHASARATHI

2

KALYANI
W/O.LATE S.MURTHI

3

M.VIJAYABABU
S/O.LATE MOHAN

4

M.RAMU
S/O.LATE MOHAN

5

M.LAKSHMANAN
S/O.LATE MOHAN



6

M.REVATHI
D/O.LATE MOHAN

... PETITIONERS in WP No.7189 of 2019

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C.VADIVELU
S/O.CHELLAPPAN

... PETITIONER in WP No.7738 of 2019

1

V.ARUMUGAM
S/O. VARADHAN

2

M.BANUMATHI
W/O. MANOHARAN

3

MAGESH
S/O. MANOHARAN

4

M.MANIKANDAN
S/O. MANOHARAN

5

MANIMOZHI
D/O. MANOHARAN

... PETITIONERS in WP No.13867 of 2019

VS

1

THE SECRETARY TO GOVERNMENT
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST. GEORGE CHENNAI-9.

2

THE CHAIRMAN
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI-35

3

THE TAHSILDAR
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI-35

... RESPONDENTS in WP No.4561 of 2016

1

SECRETARY TO GOVERNMENT
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST.GEORGE CHENNAI - 9.



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- 2 THE CHAIRMAN
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI -600 035.

... RESPONDENTS in WP No.4825 of 2019

- 1 SECRETARY TO GOVERNMENT
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST.GEORGE CHENNAI - 9.
- 2 THE CHAIRMAN
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI -600 035.

... RESPONDENTS in WP No.4833 of 2019

- 1 SECRETARY TO GOVERNMENT
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST.GEORGE CHENNAI - 9.
- 2 THE CHAIRMAN
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI -600 035.

... RESPONDENTS in WP No.4835 of 2019

- 1 SECRETARY TO GOVERNMENT
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST.GEORGE CHENNAI - 9.
- 2 THE CHAIRMAN
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI -600 035.

... RESPONDENTS in WP No.4836 of 2019

- 1 SECRETARY TO GOVERNMENT
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT.ST.GEORGE CHENANI-9.
- 2 THE DISTRICT COLLECTOR
THIRUVALLUR DISTRICT THIRUVALLUR



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3 THE TASHILDAR
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI-600 035

... RESPONDENTS in WP No.5194 of 2019

- 1 SECRETARY TO GOVERNMENT
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST.GEORGE CHENNAI 9.
- 2 THE CHAIRMAN
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI 600035.
- 3 THE TAHSILDAR
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI 600035.

... RESPONDENTS in WP No.6188 of 2019

- 1 SECRETARY TO GOVERNMENT
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST. GEORGE CHENNAI 9
- 2 THE CHAIRMAN
TAMIL NADU HOUSING BOARD NO.331 ANNA SALAI
NANDANAM CHENNAI 35

... RESPONDENTS in WP No.7189 of 2019

- 1 SECRETARY TO GOVERNMENT
HOSUING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST. GEROGGE CHENNAI-9
- 2 THE CHAIRMAN
TAMIL NADU HOUSING BOARD NO.331 ANNASALAI
NANDANAM CHENNAI-35

... RESPONDENTS in WP No.7738 of 2019

- 1 SECRETARY TO GOVERNMENT
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST. GEORGE CHENNAI - 9



2 THE CHAIRMAN
TAMIL NADU HOUSING BOARD NO. 331 ANNA
SALAI NANDANAM CHENNAI - 35

3 THE TAHSILDAR
POONAMALLEE THIRUVALLUR DISTRICT

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... RESPONDENTS in WP No.13867 of 2019

WP No.4561 of 2016:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ Declaring that the entire Land Acquisition Proceedings initiated under Section 4(1) in Na. Ka. Pa. Ve. 37/2003/T3, Housing & Urban Development Department dt 26.6.2003 and Section 6 Declaration in G.O.(Ms).No.299, Housing & Urban Development (L.A.1) 19th July 2004 No.II (2)HOU/584(c)/2004 under the Land Acquisition Act 1894 shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e. the Central Act 30 of 2013 in respect of the petitioners property situated Survey Nos. 124/2 and 125/2A to an extent of 0.11.5 and 0.09.5 hectares in Parvatharajapuram Village, Poonamallee Taluk, Thiruvallur District.

WP No.4825 of 2019:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of declaration or any other appropriate writ order of Direction Declaring that the entire Land Acquisition Proceedings initiated under Section 4(1) Notification under Land Acquisition Act, 1894 in G.O.(Ms) No.375, Housing and Urban Development Department L.A.1(1) dated 31.08.1999 and Section 6 Declaration in G.O.(Ms) No.403, Housing and Urban Development Department L.A.1(2) dated 06.10.2000 under the Land Acquisition Act 1984, shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e., the Central Act 30 of 2013 in respect of the petitioner property situated S.No.84/2 and 84/3 to an extent of 0.33 acres in Narasingapuram Village, Ponnammallee Taluk, Tiruvallur District.

WP No.4833 of 2019:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, directing Declaring that the entire Land Acquisition Proceedings initiated under Section 4(1) Notification under Land Acquisition Act, 1894



in na.Ka.Pa.Ve.37/2003/T3, Housing and Urban Development Department dated 26.06.2003 and Section 6 Declaration in G.O. (Ms) No.299, Housing and Urban Development Department dated 19.07.2004 under the Land Acquisition Act 1984, shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e., the Central Act 30 of 2013 in respect of the petitioner's property situated S.No.87/1 and 89/3 to an extent of 0.46.0 hectares in Parvatharajapuram Village, Ponnammallee Taluk, Thiruvallur District.

WP No.4835 of 2019:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of declaration or any other appropriate writ order or direction Declaring that the entire Land Acquisition Proceedings initiated under Section 4(1) Notification under Land Acquisition Act, 1894 in in G.O.(Ms) No.463, Housing and Urban Development Department L.A.1(2) dated 27.10.1999 and Section 6 Declaration in G.O.(Ms) No.491, Housing and Urban Development Department L.A.1(2) dated 06.12.2000 under the Land Acquisition Act 1984, shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e., the Central Act 30 of 2013 in respect of the petitioner's property situated S.No.111/1 to an extent of 0.04.5 hectares in Parvatharajapuram Village, Ponnammallee Taluk, Thiruvallur District.

WP No.4836 of 2019:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of declaration or any other appropriate writ order or direction Declaring that the entire Land Acquisition Proceedings initiated under Section 4(1) Notification under Land Acquisition Act, 1894 in G.O.(Ms) No.456, Housing and Urban Development Department L.A.1(2) dated 26.10.1999 and Section 6 Declaration in G.O.(Ms) No.492, Housing and Urban Development Department L.A.1(1) dated 06.12.2000 under the Land Acquisition Act 1984, shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e., the Central Act 30 of 2013 in respect of the petitioner property situated S.No.73/1 and 73/2 to an extent of 0.21 acres in Parvathirajapuram Village, Ponnammallee Taluk, Thiruvallur District.



WP No.5194 of 2019:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of declaration or any other appropriate writ order or direction Declaring that the entire Land Acquisition Proceedings initiated under Section 4(1) in Na.Ka.Pa.Ve.37/2003/T3, Housing and Urban Development Department dated 26.06.2003 and Section 6 Declaration in G.O.(Ms) No.299, Housing and Urban Development (L.A.I) 19th July 2004.No.II(2)/HOU/584(c)/2004 under the Land Acquisition Act 1894 shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e., the Central Act 30 of 2013 in respect of the petitioner's property situated Survey No.125/13 to an extent of 0.05.5 hectares in Parvatharajapuram Village, Ponnammallee Taluk, Thiruvallur District.

WP No.6188 of 2019:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of declaration or any other appropriate writ order or direction Declaring that the entire Land Acquisition proceedings initiated under 4(1) Notification under Land Acquisition Act 1894 in G.O.Ms.No.449, Housing and Urban Development L.A 1(2) dated 21/10/1999 and Section 6 Declaration in G.O.(Ms) No.495, Housing and Urban Development Department (L.A(1) dated 06/12/2000 under the Land Acquisition Act 1894 shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e., the Central Act 30 of 2013 in respect of the petitioners property situated in S.Nos. 38, 39 and 40 to an extent of 0.59.5, 0.07.5 and 0.10.0 hectares in Parvatharajapuram Village, Ponnammallee Taluk, Thiruvallur District.

WP No.7189 of 2019:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of declaration or any other appropriate writ order or direction Declaring that the entire Land Acquisition Proceedings initiated under Section 4(1) Notification under Land Acquisition Act, 1894 in G.O.Ms.No. 456, Housing and Urban Development L.A. 1(2) dated 26.10.1999 and Section 6 Declaration in G.O. (Ms) No. 492, Housing and Urban Development Department (L.A.(1)) dated 06.12.2000 under the Land Acquisition Act 1894 shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e., the Central Act 30 of 2013 in



respect of the petitioners property situated in S.No. 84 to an extent of 0.54.5 hectares in Parvatharajapuram Village, Ponnammallee Taluk, Thiruvallur District.

WP No.7738 of 2019:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of declaration or any other appropriate writ order or direction declaring that the entire land Acquisition proceedings initiated under 4(1) Notification under land Acquisition Act, 1894 in G.O.Ms. No.449, Housing and urban development L.A. 1(2) dated 21.10.1999 and section 6 Declaration in G.O.Ms. No.495, Housing and Urban development Department (L.A. (1)) dated 06.12.2000 under the Land Acquisition Act 1894 shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e., the Central Act 30 of 2013 in respect of the petitioners property situated in S.No. 56 to an extent of 0.37.0 hectares in Parvatharajapuram Village, Ponnammallee Taluk, Thiruvallur District.

WP No.13867 of 2019:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of declaration or any other appropriate writ order or direction Declaring that the entire Land Acquisition Proceedings initiated under Section 4(1) Notification under Land Acquisition Act, 1894 in G.O.Ms.No. 456, Housing and Urban Development L.A. 1(2) dated 26.10.1999 and Section 6 Declaration in G.O(Ms) No. 492, Housing and Urban Development Department (L.A.(1)) Dated 06.12.2000 under the Land Acquisition Act 1894 shall be deemed to have been lapsed by virtue of section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e., the Central Act 30 of 2013 in respect of the petitioners property situated in S.No. 69/2 to extent of 0.32.5 hectares in Parvatharajapuram Village, Ponnammallee Taluk, Thiruvallur District.

For Petitioners : Mr.C.Veeraraghavan
(in all WPs)

For Respondents : Mr.G.Krishna Raja
Additional Government Pleader
(For R1 in W.P.No.947/2016 and
For R1 and R3 in W.P.No.4561/2016)



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Mr.M.Baskar
Standing Counsel
(For R2 in W.Nos.947 and 4561/2016
and W.P.Nos.6188, 4825, 4833, 4835,
4836, 7189, 7738 and 13867/2019,
For R3 in W.P.No.5194 of 2019)

Mr.M.Muthumamy
Government Advocate
(For R1 and R3 in W.P.No.6188/2019)

Mr.G.Ameedius
Government Advocate
(For R1 and R2 in W.P.No.5194/2019
and For R1 and R3 in W.P.No.13867/2019)

Mr.C.Kathiravan
Special Government Pleader
(For R1 in W.P.Nos.4825, 4833,
4835 and 4836 of 2019)

Ms.D.Tamilselvi
Additional Government Pleader
(For R1 in W.P.Nos.7189 and
7738 of 2019)

C O M M O N O R D E R

All these Writ Petitions have been filed to challenge the entire land acquisition proceedings and the same shall be deemed to have been lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 i.e, the Central Act 30 of 2013 in respect of the petitioners' properties.

2. Heard the leaned counsel for both sides and perused the materials available on record.

3. Insofar as the petitioners in W.P.Nos. 947 and 4561 of 2016 and W.P.No.6188 of 2019 are concerned, the subject lands come under Phase-I Scheme and since already the said scheme is implemented and all the respective land owners have received their compensation for their respective land, which were already acquired, the Writ Petitions under the Phase - I scheme are devoid of merits and are liable to be dismissed. They are accordingly dismissed.



4. Insofar as the petitioners in W.P.Nos. 4825, 4833, 4835, 4836, 5194, 7189, 7738 and 13867 of 2019 are concerned, the writ petitions stands allowed, in view of the order passed by this Court dated 18.11.2021 in W.P.No.8924 to 8941 and 17820 of 2010 and batch. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CS VI)

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Sub Assistant Registrar

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To

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai - 9.
2. The Chairman,
Tamil Nadu Hosuing Board,
No.331, Anna Salai, Nandanam,
Chennai - 6000035.
3. The Tahsildar
Tamil Nadu Housing Board, No.331, Aanna Salai,
Nandanam, Chennai-600 035.

+5ccs to Mr.C.Veeraraghavan, Advocate, S.R.No.1577

+5ccs to the Government Pleader, S.R.No.2269,2268,2270,2271,2272

W.P.No.947 of 2016 etc., batch

KV(CO)

PM/08/02/2022