



W.P.(MD) Nos.20598 of 2017 etc., batch

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)Nos.20598 & 20599 of 2017, 972, 973, 7443 & 7465 of 2018
and

W.A.(MD)No.760 of 2018

and

C.M.P.(MD)Nos.4521, 6127, 7126, 7127, 7546 & 20335 of 2018

W.P.(MD)No.20598 of 2017:

R.Varathan

... Petitioner

-Vs-

1.The Union of India,
Represented by its Secretary,
The Department of Land Resource,
Ministry of Rural Development,
Krishi Bhavan, Dr.Rajendraprasad Road,
NewDelhi – 110 001.

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2.The State of Tamil Nadu,

Represented by its Chief Secretary,
St.George Fort, Chennai.

3.The District Revenue Officer,
Collectorate, Tiruchirappali.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration that Section 105(A) (as amended by TN Act 1 of 2015) of the Right to Fair Compensation and Transparency Land Acquisition, Rehabilitation and Resettlement Act, 30 of 2013 is ultra virus of the constitution and void.

W.A.(MD)No.760 of 2018:

R.Varathan

... Appellant / Petitioner

-Vs-

The District Revenue Officer,
Collectorate, Tiruchirappalli.

... Respondent / Respondent

PRAYER: Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 09.03.2018 passed by this Court in W.P.(MD)No.20727 of 2017 on the file of this Court.

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WEB COPY In W.P.(MD)No.20598 of 2017

For Petitioner : Mr.S.Jayavel
For R1 : Mr.P.Dharmaraj
Standing Counsel
For R2 & R3 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

In W.A.(MD)No.760 of 2018

For Appellant : Mr.S.Jayavel
For Respondent : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

COMMON ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

These Writ Petitions have been filed for issuance of Writ of Declaration that certain Sections of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the Tamil Nadu Highways Act, 2001 are void and unconstitutional.

2.W.A.(MD)No.760 of 2018 is filed against the order of this Court dated 09.03.2018 made in W.P.(MD)No.20727 of 2017.

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3.Today, when the Writ Petitions were taken up for hearing, the learned Additional Government Pleader for the official respondents has produced a current status report filed by the District Revenue Officer, Trichy District and submitted that subsequent to filing of these Writ Petitions, acquisition proceedings were completed and appropriate compensation has already been given to the land owners and thereafter, the acquired lands have been utilized for various public purposes and buildings have also been constructed thereon.

4.The said statement has not been refuted by the learned counsel for the respective parties.

5.In view of the above, nothing survives in these Writ Petitions and the Writ Appeal, accordingly, the same are closed. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] & [J.S.N.P., J.]

15.11.2022

Index : Yes / No

Internet : Yes / No

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To

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NewDelhi – 110 001.

2.The Chief Secretary,
State of Tamil Nadu,
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Tiruchirappali.



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W.P.(MD) Nos.20598 of 2017 etc., batch

R.MAHADEVAN, J.

AND

J.SATHYA NARAYANA PRASAD, J.

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