



W.A.No.631 of 2012

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM:

**THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR JUSTICE P.DHANABAL**

**W.A.No.631 of 2012
and M.P.No.1 of 2012**

The Chairman,
Tamil Nadu Housing Board,
Nandanam, Chennai-600 035.

... Petitioner

Vs.

1.Devaraj
2.V.Soundarajan,
3.V.Damoodharasamy,
4.Dr.V.Ramachandran,
5.V.Lakshminarayanassamy,

6.The Special Tahsildar,
Land Acquisition Housing Scheme-I,
Kovai Housing Scheme Complex,
Tatabad, Coimbatore-641 012.

7.The Tahsildar (North),
Collectorate Complex,
Coimbatore-641 018.



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8.The Sub-Registrar,
Gandhipuram, Sangapur Main Road,
Coimbatore-641 027.

.. Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 17.02.2011 made in W.P.No.1469 of 2011.

For Appellant : Mrs.T.Shyamala

For Respondents : Mr.P.Srinivas for R1 to R5

Mr.E.Vijay Anand,
Additional Government Pleader for R6 to R8

JUDGMENT

[Judgment of the Court was made by *D.KRISHNAKUMAR, J.*]

The respondents 1 to 5 herein are the writ petitioners and they filed the writ petition for a direction to the respondents 3 to 5 to make suitable mutations in the revenue records and the registration records to incorporate the names of the petitioners as owners of the lands in S.No.384/1, Kalapatti Village, Coimbatore Taluk and District of an extent of 1.66.50 Hectares (4.15 Acres) and issue necessary patta and other records. The writ petition was disposed of with the following directions:

6... the writ petition is disposed of with a direction against the Executive Engineer, Tamil Nadu Housing Board to reply to the letter of the third respondent dated 19.03.2010 in Na.Ka.No.4384/2010/A1 within a period of ten days from the date



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of receipt of a copy of this order and thereafter, the third respondent shall pass appropriate orders regarding mutation of revenue records in favour of the petitioners within four weeks. It is needless to state that after the third respondent passes such orders regarding mutation of records, the fourth respondent, on intimation of the same, shall take appropriate steps to effect necessary entries in the registers maintained by him..”

Challenging the order of the Writ Court, the first respondent therein has filed the instant writ appeal.

2. Mr.P.Srinivas, learned counsel for the respondents 1 to 5/writ petitioners submitted that pending the writ appeal, the respondents 6 to 8 have mutated the revenue records and the property in question has been sold. It is further submitted that the respondents 1 to 5 / writ petitioners have already challenged Section 4(1) Notification and Declaration under Section 6 of the Land Acquisition Act, 1894 by filing writ petitions and Section 6 Declaration was quashed by this Court with liberty to initiate fresh acquisition proceedings, against which the appellant has filed writ appeal and the same was also dismissed. Therefore, according to the respondents, as on date no proceedings has been pending and nothing survives for adjudication in this writ appeal.

D.KRISHNAKUMAR, J.



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and
P.DHANABAL, J.
Jvm

3. Recording the above, this Writ Appeal stands closed, without prejudice to the rights of the parties concerned. It is made clear that this order will not stand in the way of the appellant Board to proceed as against the writ petitioners in any other proceedings. No costs. Consequently, connected miscellaneous petition is closed.

(D.K.K., J.) (P.D.B., J.)
15.06.2023

Intex : Yes/No

Internet : Yes/No

Jvm

To

1.The Special Tahsildar,
Land Acquisition Housing Scheme-I,
Kovai Housing Scheme Complex, Tatabad, Coimbatore-641 012.

2.The Tahsildar (North),
Collectorate Complex, Coimbatore-641 018.

3.The Sub-Registrar, Gandhipuram, Sanganur Main Road,
Coimbatore-641 027.

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