



W.P.No.15424 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.15424 of 2011

and

W.M.P.No.870 of 2022

and

M.P.Nos.2 of 2011 & 1 of 2014

R.Palanisamy

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary To Government,
Housing And Urban Development Department,
Fort St. George, Chennai-9.

2. The Special Tahsildar,
Land Acquisition,
Housing Scheme Unit-III,
Coimbatore.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, call for the records in relation to the notification issued under Section 4(1) of the Land Acquisition Act, 1894, in G.O.Ms.No.791 dated 17.05.83 (Housing & Urban Development Department) and the declaration made under Section 6 of the Land Acquisition Act in G.O.Ms.No.649 dated 02.07.1985 (Housing & Urban



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Development Department) by the first respondent under the Land Acquisition Act, 1894 and quash the same in respect of the lands belonging to the petitioner, comprised in S.F.No.439/2 and 440/1 situated at Telugupalayam Village, Coimbatore.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : Mr.T.Arun Kumar,
Additional Government Pleader

ORDER

The writ petition on hand has been instituted to declare the notification issued under Section 4(1) of the Land Acquisition Act, 1894, in G.O.Ms.No.791, dated 17.05.1983, Housing and Urban Development, and declaration made under Section 6 of the Land Acquisition Act in G.O.Ms.No.649 dated 02.07.1985.

2. The notification issued under Section 4(1) of the Land Acquisition Act of the year 1983 and the declaration made under Section 6 of the Land Acquisition Act of the year 1985 are under challenge in the present writ petition which was filed on 28th June 2011, after a lapse of about 26 years. Thus, such a stale claims cannot be entertained after expiry of long years from the date of institution of the land acquisition



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proceedings.

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3. The principles in this regard are settled by the Constitutional Bench of the Hon'ble Supreme Court of India in the case of ***Indore Development Authority v. Shailendra***, reported in (2018) 3 SCC 412

4. In view of the facts and circumstances, this Court is not inclined to entertain the writ petition and accordingly, the writ petition stands **dismissed**. No costs. Consequently, connected miscellaneous petitions are closed.

13.09.2023

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)



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S.M.SUBRAMANIAM. J.,

(sha)

To

1. The State of Tamil Nadu,
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Fort St. George, Chennai-9.

2. The Special Tahsildar,
Land Acquisition,
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