



[P-1 to P-7 substituted vide order of
Court dated 25.09.2023 made in
WMP No.28079 of 2023 in WP No.5312 of 2011]

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Mrs.Dhanalakshmi	... Petitioner in WP 5313/2011
Mrs.Saroja	... Petitioner in WP 5314/2011
R.Kuppan	... Petitioner in WP 5315/2011
Mr.R.Mani	... Petitioner in WP 5316/2011
Mrs.Santhi	... Petitioner in WP 5317/2011
Mrs.Padma	... Petitioner in WP 5318/2011
Mrs.Parvathi	... Petitioner in WP 5319/2011

Vs.

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

2.The Secretary,
Tamil Nadu Housing Board,
Nandanam,
Chennai-35.

3.The Special Tahsildar (Land Acquisition),
Tamil Nadu Housing Board Schemes,
Nandanam,
Chennai-35.

... Respondents in all WPs

4.Mrs.Ponnammal ... R-4 in WP No.5315/2011

[R-4 impleaded vide order of Court
dated 25.09.2023 made in MP No.1 of
2012 in WP No.5315 of 2011]



B.Gopalakrishnan ... R-5 in WP No.5315/2011
[R-5 impleaded vide order of Court
dated 25.09.2023 made in WMP No.3006 of
2019 in WP No.5315 of 2011]

B.Gopalakrishnan ... R-5 in WP No.5316/2011
[R-4 impleaded vide order of Court
dated 25.09.2023 made in WMP No.3029 of
2019 in WP No.5316 of 2011]

B.Gopalakrishnan ... R-5 in WP No.5317/2011
[R-4 impleaded vide order of Court
dated 25.09.2023 made in WMP No.3030 of
2019 in WP No.5317 of 2011]

B.Gopalakrishnan ... R-5 in WP No.5318/2011
[R-4 impleaded vide order of Court
dated 25.09.2023 made in WMP No.3031 of
2019 in WP No.5318 of 2011]

B.Gopalakrishnan ... R-5 in WP No.5319/2011
[R-4 impleaded vide order of Court
dated 25.09.2023 made in WMP No.3032 of
2019 in WP No.5319 of 2011]

WP No.5306 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 17 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.



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WP No.5307 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 17 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

WP No.5308 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 17-1/2 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

WP No.5309 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 14 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

WP No.5310 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 14 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.



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WP No.5311 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 14 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

WP No.5312 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 17 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

WP No.5313 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 14 cents in Survey No.30 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

WP No.5314 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 14 cents in Survey No.30 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.



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WP No.5315 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 39.5 cents in Survey Nos.30 and 31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

WP No.5316 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 38.5 cents in Survey Nos.30 and 31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

WP No.5317 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 6 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

WP No.5318 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 6 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.



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WP No.5319 of 2011 filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant release / re-conveyance of the lands measuring an extent of 5.5 cents in Survey No.31 in Porur Village, Ambattur Taluk, Tiruvallur District belonging to this petitioner.

For Petitioner in all WPs : Mr.Manoharan S.Sundram

For Respondents-1 and 2
in all WPs : Mr.T.Arunkumar,
Additional Government Pleader.

For Respondent-3 in
all WPs : Mr.A.M.Ravindranath Jeyapal,
Standing Counsel for TNHB.

For R-4 in WPs 5315 to
5319 of 2011 : Mr.V.Karthikeyan for
Mr.S.Ramajeyam

For R-5 in WP 5315/2011: Mr.G.Jeremiah

COMMON ORDER

The reliefs sought for in all these writ petitions are to direct the
to grant release / re-conveyance of the lands.



2. Admittedly, the lands were acquired for developing 'Ramapuram Neighbourhood Housing Scheme in Porur Taluk'. The lands were acquired by the Government and handed over to the Tamil Nadu Housing Board for the purpose of developing the Neighbourhood Scheme and admittedly, Awards were passed on 19.09.1986 and possession was taken over by the Government on 27.05.2011.

3. The learned Additional Government Pleader, appearing on behalf of the respondents 1 and 2, brought to the notice of this Court that the petitioners were filing several litigations claiming ownership and they have not succeeded. However, the learned counsel appearing on behalf of the erstwhile owners made a submission that they participated in the Award proceedings and the compensation determined was deposited in the Civil Court. Thus there is a dispute with reference to ownership of the subject properties, which were acquired for developing the Neighbourhood Scheme in Porur Taluk.



4. The present writ petitions are filed seeking re-conveyance of the lands, which were acquired pursuant to the Notifications issued in the year 1986.

5. The learned Additional Government Pleader, appearing on behalf of the respondents 1 and 2, made a submission that the Neighbourhood Scheme was developed long before and certain portion of the land alone is yet to be taken up for possession on account of continuous litigations initiated between the few persons, who are all claiming to be the owners. Certain encroachments are also yet to be removed, since the acquired lands absolutely vest with the Government.

6. The facts in the present cases reveal that the acquisition proceedings were concluded long back and compensations determined were deposited. On account of dispute between the various rival groups, the compensation was deposited before the appropriate Forum. Several litigations were instituted and now the acquired lands absolutely vest with the Government.



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7. That being the factum, the respondents are directed to conduct survey of the acquired lands already vested with the Government and if there is any encroachments, the same is to be removed and the land is to be utilised for public purposes for which it was acquired in the manner known to law.

8. Re-conveyance of acquired lands, at no circumstances, be claimed as an absolute right. The lands acquired may be utilised for some other public purposes, if the Government takes the policy decision.

9. In the present cases, the lands were acquired long back and that being the factum, now the reliefs as such sought for in all these writ petitions deserve no merit consideration. The compensation already deposited is to be settled by identifying the original owner of the land.



10. With the above observations, all the writ petitions are dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are also dismissed.

25-09-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To

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

2.The Secretary,
Tamil Nadu Housing Board,
Nandanam,
Chennai-35.

3.The Special Tahsildar (Land Acquisition),
Tamil Nadu Housing Board Schemes,
Nandanam,
Chennai-35.



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WP Nos.5306 to 5313 of 2



S.M.SUBRAMANIAM, J.

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WPs 5306 to 5319 of 2011

25-09-2023