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W.P.Nos.8817, 8818 and 8819 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.11.2023

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THE HONOURABLE MR. JUSTICE P.VELMURUGAN

**W.P.Nos.8817, 8818 and 8819 of 2015 and
M.P.Nos.1, 1 and 1 of 2015**

Gowri Subramaniam	.. Petitioner in W.P.No.8817/15
S.Arunachalam	.. Petitioner in W.P.No.8818/15
Chithra Subramaniam	.. Petitioner in W.P.No.8819/15

Versus

1. State rep. by its Secretary,
Housing & Urban Development Dept.,
Fort St. George, Chennai – 600 009.
2. Tamil Nadu Housing Board,
Rep. by its Managing Director,
No.33, Anna Salai, Nandanam,
Chennai – 600 035.
3. The Executive Engineer,
Tamil Nadu Housing Board,
Bhagalur Road, Hosur 635 109.
4. The Special Tahsildar (L.A.),
Hosur Housing Scheme,
Bhagalur Road, Hosur,
Krishnagiri District.

.. Respondents in all the WPs



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Prayer in all the WPs: Writ Petitions filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Declaration, declaring that the Land Acquisition Proceedings initiated under the Land Acquisition Act 1894 in respect of land bearing Plot No.10, 11 and 13, measuring an extent of 2400, 2420 and 2400 sq.ft. respectively comprised in Survey No.9291/1 Hosur Village and Taluk, Krishnagiri District, covered by Notification issued under Section 4(1) of Land Acquisition Act, 1894 vide G.O.Ms.No.1459, Housing and Urban Development Department, dated 15.11.1991 and Declaration under Section 6 of Land Acquisition Act 1894 vide G.O.Ms.No.20, Housing and Urban Development Department, dated 08.01.1993 deemed to have lapsed in view of Section 24(2) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013.

For Petitioners : Mr.R.Bharath Kumar in all the WPs

For Respondents : Mr.P.Gurunathan
Addl. Government Pleader for RR1 & 4
Mr.S.Ramachandran, Standing Counsel
for TNHB for RR2 & 3

- in all the WPs

COMMON ORDER

These writ petitions have been filed to declare the land acquisition proceedings initiated by the respondents in respect of the lands in Survey No.9291/1 Hosur Village and Taluk, Krishnagiri District, covered by



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Notification issued under Section 4(1) of Land Acquisition Act, 1894 vide

G.O.Ms.No.1459, Housing and Urban Development Department, dated

15.11.1991 and Declaration under Section 6 of Land Acquisition Act 1894 vide

G.O.Ms.No.20, Housing and Urban Development Department, dated

08.01.1993 deemed to have lapsed in view of Section 24(2) of Right to Fair

Compensation and Transparency in Land Acquisition, Rehabilitation and Re-

Settlement Act, 2013.

2 The learned Additional Government Pleader appearing for the official respondents has filed additional common typed set of papers showing that the Award amount has already been deposited before the Civil Court and the petitioners have filed application seeking enhancement.

3 In view of the above submissions made by the learned Addition Government Pleader and the documents filed by him, once the Award amount is deposited before the Civil Court and the petitioners also gone for enhancement, Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013, does not arise. Hence the acquisition proceedings has not been lapsed and therefore the petitioners are not entitled to the relief sought for in these writ petitions.



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Accordingly, all the writ petitions stand dismissed. However, the petitioners are at liberty to workout their remedy in the manner to law. No costs. Consequently connected miscellaneous petitions are closed.

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Index: Yes/No
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To

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2. The Managing Director, .
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P.VELMURUGAN, J.,

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