



W.P.No.1942 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 19.12.2023

CORAM:

THE HON'BLE MR JUSTICE P. VELMURUGAN

W.P.No.1942 of 2018

A/m.Sri Varadharaja Perumal Temple
Rep.by its Administrator
A.Radhakrishnan,
S/o.late Arumugha Thevar,
10/11, Pillaiyar Koil Street,
Market Road, Irugur,
Sulur Taluk,
Coimbatore District.

...Petitioner

Versus

- 1.The State of Tamil Nadu Rep.by its
Secretary to Government,
Adi Dravidar Welfare Department,
Fort St., George,
Chennai – 600 009.
- 2.The District Collector,
Coimbatore District,
Coimbatore – 641 018.
- 3.The Special Tahsildar,
Adi Dravidar Welfare,
Coimbatore – 641 018.
Coimbatore District.

4.R.Anantharaman.

...Respondents



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Prayer: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of declaration, declaring that the entire Land Acquisition Proceedings initiated under the Tamil Nadu Act, 31 of 1978 in respect of the petitioner's lands measuring an extent 7.29 acres comprised in S.F.Nos.189/1, 190/1, 191/1, 192/2 and 194/2 of Irugur Village, Sulur Taluk, Coimbatore District as lapsed in view of Acquisition, Rehabilitation and Resettlement Act, 2013 and pass such further or other suitable orders.

For Petitioners : Mr.J.S.Vijaya Raghavan

For Respondents : Mr.P.Gurunathan
R1 to R3 : Additional Government Pleader
For R4 : Mr.B.Selva Kadambar

ORDER

This writ petition is filed for writ of declaration, declaring that the entire Land Acquisition Proceedings initiated under the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978 in respect of the petitioner's lands measuring an extent 7.29 acres comprised in S.F.Nos.189/1, 190/1, 191/1, 192/2 and 194/2 of Irugur Village, Sulur Taluk, Coimbatore District as lapsed in view of Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. The land is acquired under Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and



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Resettlement Act, 2013, neither the possession been taken nor the amount has been paid/deposited and deemed to be lapsed under Section 24 (2) of the Act. Where the land itself is acquired under the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978 and therefore, Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 would not attract, therefore the petition stands dismissed. However the petitioner is at liberty to workout his remedy in a manner known to law. There shall be no order as to costs.

19.12.2023

Index :Yes/No

Speaking :Yes/No

Neutral Citation Case:Yes/No

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P. VELMURUGAN,J.

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