



WEB COPY

W.P. No.21872 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.21872 of 2017 and
W.M.P. No.31071 of 2017

G.Balasubramanian

... Petitioner

Vs.

1. The Secretary to Government
Housing and Urban Development Department
Government of Tamil Nadu
Fort St. George, Chennai - 600 009
2. The Managing Director
Tamil Nadu Housing Board
Nandanam, Chennai - 600 035
3. The Special Tahsildar (LA-Unit II)
Tamil Nadu Housing Board
Nandanam, Chennai - 600 035
4. The Assistant Director
Town and Country Planning
Zonal Joint Director (Incharge)
Chengalpattu Zone
No.124, G.S.T. Road,
Chengalpattu - 603 001
5. The Zonal Joint Director
Town and Country Planning
No.124, G.S.T. Road,
Chengalpattu - 603 001

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India,



to issue a writ of declaration declaring that the entire acquisition proceedings initiated by the 1st respondent by Notification under Section 4(1) of the Land Acquisition Act (A1 of 1894) in G.O.Ms.No.680/Housing and Urban Department dated 17.07.1989 and the Declaration under Section 6 of the Land Acquisition Act, in G.O.Ms.No.1033 (Housing and Urban Department) dated 28.08.1990 and the Award passed in Award No.1 of 2001 dated 12.10.2001 insofar as the petitioner's lands in Survey Nos.87/2B1, 87/2B2, 87/2B3 and 87/2B4, measuring 50795 Sq.ft. equal to 1 acre 16-1/2 cents in No.241, Alapakkam Village, Chengalpattu Taluk, Kancheepuram District, as lapsed in view of Section 24(2) of Right To Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013. (Prayer amended as per order dated 10.01.2018 by NSSJ in WMP No.31070/2017 in W.P.No.21872/2017)

For Petitioner : Mr.M.S.Subramanian

For Respondents : Mr.V.Veluchamy
Additional Government Pleader
for R1, R3, R4 and R5
: Mr.A.M.Ravindranath Jeyapal
Standing Counsel for TNHB for R2

ORDER

The Writ Petition is filed seeking to issue a Writ of Declaration declaring that the entire acquisition proceedings initiated by the 1st respondent by Notification under Section 4(1) of the Land Acquisition Act (A1 of 1894) in G.O.Ms.No.680/Housing and Urban Department dated 17.07.1989 and the Declaration under Section 6 of the Land Acquisition Act, in G.O.Ms.No.1033 (Housing and Urban Department) dated 28.08.1990 and the Award passed in Award No.1 of 2001 dated 12.10.2001 insofar as the



petitioner's lands in Survey Nos.87/2B1, 87/2B2, 87/2B3 and 87/2B4, measuring 50795 Sq.ft. equal to 1 acre 16-1/2 cents in No.241, Alapakkam Village, Chengalpattu Taluk, Kancheepuram District, as lapsed in view of Section 24(2) of Right To Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013. (Prayer amended as per order dated 10.01.2018 in WMP No.31070/2017 in W.P.No.21872/2017).

2. Since this Court had allowed W.P.No.4087 of 2018 today, the present Writ Petition pertaining to the very same land acquisition proceedings, shall also stand allowed in the same terms. There shall be no order as to costs. Consequently, the miscellaneous petition is closed.

15.12.2023

(4/4)

ksa-2

To

1. The Secretary to Government
Housing and Urban Development Department
Government of Tamil Nadu
Fort St. George
Chennai - 600 009



WEB COPY

W.P. No.21872 of 2



2. The Managing Director
Tamil Nadu Housing Board
Nandanam
Chennai - 600 035
3. The Special Tahsildar (LA-Unit II)
Tamil Nadu Housing Board
Nandanam
Chennai - 600 035
4. The Assistant Director
Town and Country Planning
Zonal Joint Director (Incharge)
Chengalpattu Zone
No.124, G.S.T. Road,
Chengalpattu - 603 001
5. The Zonal Joint Director
Town and Country Planning
No.124, G.S.T. Road,
Chengalpattu - 603 001



WEB COPY

W.P. No.21872 of 2



P.VELMURUGAN. J.

Ksa-2

W.P. No.21872 of 2017

15.12.2023
(4/4)