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W.P.Nos.16946, 17739, 18703 of 2024 and 2174 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.Nos.16946, 17739, 18703 of 2024 and 2174 of 2023
and WMP Nos.18661 & 19476 of 2024

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|------------------|----------------------------------|
| 1. R.Subramanian | ... Petitioner in WP No.16946/24 |
| 2. V. Mani | ... Petitioner in WP No.17739/24 |
| 3. V.Natarajan | ... Petitioner in WP No.18703/24 |
| 4. K.Marappan | ... Petitioner in WP No.2174/24 |

vs.

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
Revenue Department,
Fort St. George, Chennai – 600 009.

2. The Special Thasildhar,
Land Acquisition Officer,
(Master Plan Complex), Namakkal.

3. The Land Acquisition Officer,
and Revenue Divisional Officer,
Namakkal. ... Respondents in all WPs.

PRAYER in WP No.16946 of 2024: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, to declare that the land acquisition proceedings of the 1st respondent herein in G.O. Ms. No. 466 , Revenue Department, dated 05.06.1998 and the proceedings of the 3rd Respondent in Na.Ka.No.10654/ 2009 (A7) dated 22.02.2010 as invalid and void in so far as it relates to lands comprised in patta No. 247 in

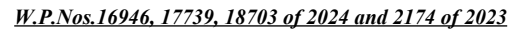


W.P.Nos.16946, 17739, 18703 of 2024 and 2174 of 2023

Survey No. 372/2 measuring an extent of 0.36.0 Hectares and 0-41.00 Hectares in Survey No. 372/ 4 situated at Siluvampatty Village, Namakkal Taluk and District belonged to the petitioner herein as the said notification issued under Sec. 4 (1) of the Land Acquisition Act, 1894 as got lapsed and inoperative both under the provisions of the Land Acquisition Act, 1894 and in view of the enactment of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No.30 of 2013).

PRAYER in WP No.17739 of 2024: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, to declare that the land acquisition proceedings of the 1st respondent herein in G.O. Ms. No. 466 , Revenue Department, dated 05.06.1998 and the proceedings of the 3rd Respondent in Na.Ka.No.10654/ 2009 (A7) dated 22.02.2010 as invalid and void in so far as it relates to lands comprised in Survey No.325/1B bearing patta No.272 measuring an extent of 2-89.50 Hectares and 0.24.50 Hectares in survey No.373/4 bearing patta No.274 situated at Siluvampatty Village, Namakkal Taluk and District belonged to the petitioner herein as the said notification issued under Sec. 4 (1) of the Land Acquisition Act, 1894 as got lapsed and inoperative both under the provisions of the Land Acquisition Act, 1894 and in view of the enactment of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No.30 of 2013).

PRAYER in WP No.18703 of 2024: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, to declare that the land acquisition proceedings of the 1st respondent herein in G.O. Ms. No. 466 , Revenue Department, dated 05.06.1998 and the proceedings of the 3rd Respondent in Na.Ka.No.10654/ 2009 (A7) dated 22.02.2010 as invalid and void in so far as it relates to lands lands comprised in Patta No.143 in Survey No.374/1, measuring an extent of 3.40.0 Hectares, situated at Siluvampatty Village, Namakkal Taluk and District belonged to the petitioner herein as the said notification issued under Sec. 4 (1) of the Land Acquisition Act, 1894 as got lapsed and inoperative both



PRAYER in WP No.2174 of 2023: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, to declare that the land acquisition proceedings of the 1st respondent herein in G.O. Ms. No. 466, Revenue Department, dated 05.06.1998 and the proceedings of the 3rd Respondent in Na.Ka.No.10654/2009 (A7) dated 22.02.2010 as invalid and void in so far as it relates to lands comprised in patta No.202 in survey No.324/3B, measuring an extent of 0.97.0 Hectares and 0.58.0 Hectares in survey No.398/2B in patta No.208 situated at Siluvampatty Village, Namakkal Taluk and District belonged to the petitioner herein as the said notification issued under Sec. 4(1) of the Land Acquisition Act, 1894 as got lapsed and inoperative both under the provisions of the Land Acquisition Act, 1894 and in view of the enactment of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No.30 of 2013).

For Respondents : Mr.A.Selvendran (for R1 to R3)
in all cases Special Government Pleader

In all these cases, the writ petitioners seek a writ of declaration, declaring that the land acquisition proceedings of the 1st respondent in G.O.Ms.No.466, Revenue Department dated 05.06.1998 and the proceedings of the 3rd respondent in Na.Ka.No.10654/2009 (A7) dated



W.P.Nos.16946, 17739, 18703 of 2024 and 2174 of 2023

22.02.2010, got lapsed under Section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No.30 of 2013).

2. In the affidavit filed in support of these petitions, it is asserted by the petitioners that petitioners have not been paid compensation and possession also was not taken in pursuance of the publication of the notification.

3. In all these matters, the 3rd respondent viz., the Land Acquisition Officer, filed counter stating that the acquisition proceedings got lapsed on 31.12.2009 and as of now, proposals are prepared to obtain formal orders from the Government for dropping petitioners' land from the acquisition process. The said averment made in the counter, is recorded.

4. It view of the stand taken by the 3rd respondent, it is declared that the acquisition proceedings initiated against the petitioners under G.O.Ms.No.466, Revenue Department dated 05.06.1998 got lapsed. Accordingly, the writ petitions stand allowed. No Costs.



W.P.Nos.16946, 17739, 18703 of 2024 and 2174 of 2023

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21.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To



W.P.Nos.16946, 17739, 18703 of 2024 and 2174 of 2023

S.SOUNTHAR, J.

ars

1. The Secretary to Government,
State of Tamilnadu,
Revenue Department,
Fort St. George, Chennai – 600 009.

2. The Special Thasildhar,
Land Acquisition Officer,
(Master Plan Complex), Namakkal.

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W.P.Nos.16946, 17739, 18703
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