



W.A. No. 2412 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2024

CORAM

THE HON'BLE MR. JUSTICE S.M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE C.KUMARAPPAN

W.A. No. 2412 of 2021

C.R. Ramasamy Reddy

..Appellant

Vs.

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

2. The Chairman cum Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai – 35.

3. The Executive Engineer,
Tamil Nadu Housing Board Road,
Hosur, Krishnagiri.

..Respondents

Prayer: Writ Appeal as against the order dated 18.03.2021 passed in



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W.P. No. 10987 of 2013.

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For Appellant :: Mrs.R. Poornima

For Respondents :: Mr.D. Gopal,
Govt. Advocate for R1
Mr.A.M. Ravindranath Jeyapaul
Standing Counsel for R2 & R3
(TNHB)

J U D G M E N T

*(Delivered by **S.M. SUBRAMANIAM,J.**)*

The writ appeal is directed against the order dated 18.03.2021 passed in W.P. No. 10987 of 2013.

2. The writ petitioner is the appellant before us. The writ petition was instituted to re-convey the lands comprised in Survey No. 759/1 (1.00.5 hectares) measuring an extent of 2.48 acres situate in Nallur Village, Hosur Taluk, Krishnagiri District to the appellant, which were acquired by the Government along with other adjacent lands for public purpose. It would suffice if the details regarding acquisition proceedings are considered by this Court.



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3. The aforesaid extent of lands along with other lands were sought to be acquired by the Government for formation of Hosur Neighbourhood Phase XIX Scheme. Accordingly, the District Collector issued 4(1) notification under the Land Acquisition Act on 16.11.2000 and it was followed by enquiry under Section 5(A) of the said Act, which was conducted on 30.07.2001. The land owners filed their objections. Finally, Section 6 declaration was approved by the Government in G.O.Ms.44 dated 13.02.2022. Thereafter, an award was passed in Award No. 1/2004 on 16.02.2004. The Land Acquisition Officer fixed the compensation at Rs.10,46,194/- and the same deposited in Corut on 27.02.2004. Possession was taken by the competent authority on 20.06.2007. In the above background, the appellant/writ petitioner, stating that the lands were not utilized for the purpose for which they were acquired, filed an application seeking re-conveyance of his lands.

4. Apparently, based on the possession taken, patta has already



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been transferred in the name of the Government. Once acquisition proceedings are completed in all respects, the land vests with the Government absolutely. Thus, re-conveyance of land cannot be claimed as a right by the erstwhile landowner. Re-conveyance has to be considered by the Government only if a policy decision has been taken. The acquired land can be utilized by the Government for any other public purpose. It is not necessary that the acquired land should be used only for the purpose for which it was acquired. That being so, the claim by the appellant before the Writ Court was rightly rejected and we do not find any ground to interfere with the order under challenge. Therefore, the order passed by the Writ Court stands confirmed and the writ appeal is dismissed. No costs.

nv

(S.M.S.J.) (C.K.J.)
04.07.2024

To
1. The Secretary to Government,

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S.M. SUBRAMANIAM,J.

AND



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C. KUMARAPPAN,J.

nv

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