



W.P.No.22000 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.22000 of 2024

1.Thenmozhi

2.S.Naveen Kumar

... Petitioners

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

PRAYER: 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.M.S.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.287 in Survey No. 326/1, measuring an extent of 1-66.00 Hectares situated at Siluvampatty Village, Namakkal Taluk & District, belonged to the petitioners herein as the said



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notification issued under Section 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 Petitioner : Mr.P.Mathivanan

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

When the writ petition is taken up for hearing, the learned Additional Government Pleader appearing for the respondents, on written instructions from Tahsildar, Namakkal in ROC.No.1745/2024/A4, dated 05.09.2024, submitted that the land acquisition notification in the present case is lapsed as early as 31.12.2009 and the respondents are awaiting formal orders from the Government. The relevant portion of the letter written by the 2nd respondent is extracted below:-

“It is informed that even though the entire land acquisition proceedings initiated through the 4(1) notification issued under the Land Acquisition Act vide G.O.Ms.No.466, Revenue Department, dated 05.06.1998 have lapsed on 31.12.2009, formal orders have to be obtained from the Government in this regard and that as of now, proposals are being prepared to obtain formal orders from the Government



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for dropping the petitioner's land in S.Nos.326/1 of Siluvampatty Village of Namakkal Taluk and from the acquisition process.”

2. The above said statement made by the learned Additional Government Pleader appearing for the respondents is recorded and the writ petition is disposed of. No costs.

30.10.2024

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

To

1. The 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,
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S.SOUNTHAR, J.

dm

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