



W.P.No.27615 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.27615 of 2024
and W.M.P.No.30129 of 2024

Kalaimani

... Petitioner

VS.

1.The Secretary to Government
Adi Dravidar and Scheduled Caste
Welfare Department
Fort St. George,
Chennai – 600 009.

2.The Special Thasildar (L.A)
Adi Dravidar Welfare
Dharmapuri
Dharmapuri District

3.The Thasildar
Nallampalli Taluk Office,
Dharmapuri District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring the Land Acquisition proceedings initiated by the respondents 1 and 2 in respect of land in Survey No.188/1C2 an extent of 0.10.0 Hec. At Jarugu Maniathahalli Village, Nallampalli Taluk, Dharmapuri District as lapsed by virtue of Section 24(2) of Act 2013.



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For Petitioner : Mr.M.Elango

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

The writ petition is filed seeking a writ of Declaration, declaring that land acquisition proceedings initiated in respect of the subject property was lapsed in view of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. During last hearing, it was brought to the notice of this Court that the petitioner purchased the subject property only on 04.07.1996 subsequent to declaration under Section 6 of the Land Acquisition Act. It is seen from the records, Section 4(1) notification was issued on 31.07.1985 and 6 declaration was issued on 04.06.1986. The award was also passed by the Competent Authority on 27.11.1986 fixing quantum of compensation. Thereafter, the matter was referred to Court under Section 30 of the Land Acquisition Act.



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3. Since the petitioner purchased the property, after 6 declaration and passing of award, she is not entitled to maintain the prayer made in the writ petition. However, liberty is given to the owner of the property at the time of issuing declaration under Section 6 of the Land Acquisition Act, to seek appropriate declaration, if so advised.

4. The Writ Petition is dismissed with above liberty. No costs. Consequently, the connected writ miscellaneous petition is closed.

21.10.2024

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

dm

To

1.The Secretary to Government
Adi Dravidar and Scheduled Caste
Welfare Department, Fort St. George,
Chennai – 600 009.

2.The Special Thasildar (L.A)
Adi Dravidar Welfare
Dharmapuri, Dharmapuri District.

3.The Thasildar
Nallampalli Taluk Office,
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S.SOUNTHAR, J.

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