



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

**W.A.No.1357 of 2023
and
C.M.P.No.13303 of 2023**

V.R.Kannan (died)
S/o.Ramapillai

K.Gangadharan
S/o.Late V.R.Kannan

... Appellant

Vs.

1. State of Tamil Nadu
Rep. by the Commissioner and Secretary
to the Government
Social Welfare (ADW) Department
Fort St.George
Chennai-600 009.
2. The District Collector
Vellore District
Vellore.
3. The Special Tahsildar / Land Acquisition Officer
(ADW)
Walajapet Taluk
Vellore District.

... Respondents

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Prayer:

Writ Appeal filed under Clause 15 of Letters Patent praying to set aside the order passed by learned Judge in W.P.No.2734 of 2015.

For Appellant : Mr.D.Ananth
for Mr.D.Rajagopal
For Respondents : Mr.Vadivelu Deenadayalan
Additional Government Pleader

J U D G M E N T

(Judgment of the Court delivered by S.M.SUBRAMANIAM)

The writ order dated 22.10.2021 is sought to be assailed in the present intra-Court appeal.

2. It is not in dispute between the parties that the land acquisition proceedings have been initiated under the old Land Acquisition Act and concluded. The writ petition has been filed to avail the benefit of Section 24(2) of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 (Central Act No.30/2013)" ["Act"]. The appellant would mainly contend that the twin conditions contemplated under Section 24(2) of the Act has not been



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complied with. Therefore, the entire land acquisition is to be declared as lapsed. Learned single Judge considered the facts elaborately and made a finding in paragraph No.6 of the writ order impugned that after acquisition proceedings, an award was passed as early as on 06.12.1991, notice was issued to the land owners on 22.04.1992 to receive the compensation but the deceased writ petitioner and his brothers failed to receive the award amount and consequently, the award amount was deposited in the Revenue Deposit, Sub-Treasury, Walaja Taluk. Regarding possession, the symbolic possession was taken on 24.02.1998 and the land acquired was handed over to the Requisitioning body. Thus, the writ Court arrived at a conclusion that the appellant has not established the twin conditions mandated under Section 24(2) of the Act.

3. When the appellant was not able to establish the twin conditions under Section 24(2) of the Act factually, no further consideration needs to be undertaken since the scope of the interference under Section 24(2) is limited to the extent of conditions stipulated under the Act.



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Accordingly, Writ Appeal stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[S.M.S., J.] [M.S.Q, J.]
17.09.2025

mk

Speaking / Non-speaking order

Index : Yes

Neutral Citation : Yes / No

To

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S.M.SUBRAMANIAM, J.
and
MOHAMMED SHAFFIQ, J.

mk

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