



W.P.No. 3656 of 2025 and etc., batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

**W.P.Nos. 3656, 3678, 3689, 3668, 3672, 3674, 3679, 3681, 3684 and
3687 of 2025**

W.P. No.3656 of 2025

S.K. Subramani
S/o. Kandasamy Gounder

... Petitioner

VS

1. The Managing Director,
Tamil Nadu Housing Board,
C.M.D.A. Complex,
E & C Market Road,
Koyambedu, Chennai 600 057.

2. The Executive Engineer and
Administrative Officer,
Salem Housing Unit,
Tamil Nadu Housing Board,
Iyyanthirumaligai Road,
Salem 636 008.

3. The Special Tahsildar (Land Acquisition),
Tamil Nadu Housing Board,
Salem Housing Unit,
Iyyanthirumaligai Road,
Salem

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other writ, order or direction in the nature of a writ directing the respondents to deposit the balance amount of compensation payable to the petitioner's half share in the land acquired viz., 1.01 acres in S.No.197/1, 197/3 and 198/7B, Kadachanallur Village, Tiruchengode Taluk, Namakkal District under the award No.16/86-87 as enhanced in L.A.O.P. No.27/1992 on the file of the Subordinate Court, Salem and confirmed in A.S. No.329/1997 by this Hon'ble Court, and as admitted by the 3rd respondent in his Letter No. Na.ka./General/2022, dated 17.11.2023, forthwith.

For Petitioner : Mr. P. Jagadeesan

For R1 to R3 : Mr. A. Selvendran,
Special Government Pleader

COMMON ORDER

The issue involved in all these writ petitions is common and hence the matter was heard together and this common order is passed.

2. The case of the petitioners is that their respective properties was the subject matter of acquisition under the Land Acquisition Act, 1894. The acquisition was made for the purpose of construction of houses for the Tamil Nadu Housing Board. An Award came to be passed and the



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petitioners were not satisfied with the quantum of compensation fixed.

Hence, each of the petitioner filed a petition for enhancement of compensation before the Subordinate Court, Salem. The Subordinate Court, Salem, on considering the claim made by the petitioners, was pleased to fix the compensation at the rate of Rs.3.50 per square feet along with solatium and interest. The compensation was also fixed insofar as the trees that were available in the property and interest was directed to be paid towards that compensation also.

3. Aggrieved by the compensation fixed by the Subordinate Court, Salem, the Special Tahsildar, filed appeals before this Court in A.S. Nos. 329 to 331/1997, A.S.No.21/1996 and A.S.No.672/2005. A Cross Objection was also filed seeking for enhancement of compensation. All these appeals were taken up together and the Division Bench of this Court, by judgment dated 15.12.2005, confirmed the order passed by the reference court and dismissed all the appeals. A direction was issued to the Acquisition Officer and the requisitioning body to deposit the entire compensation amount with interest within a period of three months. The grievance of the petitioners is that during the pendency of the appeals, the Housing Board deposited a portion of the compensation amount,



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out of which the petitioners were permitted to withdraw one fourth.

After the disposal of the appeals, another portion of the amount was deposited. However, the entire deposit was not made and, as a result, the petitioners were not in a position to get the entire compensation amount that was fixed by the reference court and which was confirmed by this Court.

4. The petitioners made a representation in this regard to the third respondent and the third respondent through individual communications dated 17.11.2023 / 22.11.2023, informed the petitioners that the entire compensation amount payable till 31.08.2023 has already been calculated and it has been informed to the Housing Board and once the amount is deposited in the Court, the same will be paid to the petitioners. Thereafter, there was absolutely no development and, as a result, the petitioners were not paid the balance compensation amount. Aggrieved by the same, these Writ Petitions have been filed before this Court directing the respondents to deposit the balance compensation amount that is payable to the petitioners with respect to the subject property which was acquired and for which compensation amount was determined by the Subordinate Court, Salem, and which was also confirmed by the



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Division Bench of this Court.

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5. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court and also considering the genuine grievance that has been expressed by the petitioners, there shall be a direction to the first and second respondents to ensure that the entire balance compensation amount, as was calculated by the third respondent till 31.08.2023, is sent to the third respondent within a period of six weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent shall deposit the same in the respective L.A.O.P before the Subordinate Court, Salem, immediately. An intimation shall be sent to the petitioners and thereafter the petitioners shall be permitted to withdraw the balance compensation amount. This Court makes it very clear that the entire process must be completed within a period of eight (8) weeks from the date of receipt of a copy of this order since the petitioners have been waiting for this compensation for almost three decades.



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6. These Writ Petitions are disposed of with the above directions.

No costs.

7. Post these Writ Petitions under the caption 'for reporting compliance' on 21.04.2025.

06.02.2025

Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

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To



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N. ANAND VENKATESH, J.

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**W.P.Nos. 3656, 3678, 3689, 3668,
3672, 3674, 3679, 3681,
3684 and 3687 of 2025**

06.02.2025

(1/2)