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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

CORAM

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

**WA No. 357 of 2023
and
CMP No. 3363 of 2023**

1.The Tamil Nadu Housing Board,
Rep. by its Managing Director,
Anna Salai, Nandanam,
Chennai – 641 024.

2.The Executive Engineer and
Administration Officer,
Vellore Housing Unit,
Tamil Nadu Housing Board,
Sathuvachari, Vellore – 632 009.

3. The Executive Engineer
Tamil Nadu Housing Board,
Thiruvannamalai Division,
No.10, 5th Street, Bandi Nagar.

Appellant(s)

Vs

V.Selvaakumar

Respondent(s)

PRAYER

Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dt. 16.12.2021 passed in W.P.No. 20394 of 2018.

For Appellant(s): Mr.P.S.Seetharaman,
Standing Counsel [For TNHB]



For Respondent(s): Mr.M.Shankar &
Mr.A.Raghuraman

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J U D G M E N T

(Judgment was delivered by S.M.Subramaniam J.)

The present Intra-Court Appeal has been instituted challenging the writ order dated 16.12.2021 passed in W.P.No.20394 of 2018. Tamil Nadu Housing Board preferred the present writ appeal.

2. The respondent filed a writ petition seeking a direction to declare he entire land acquisition proceedings initiated by the respondents as lapsed under Section 24(2) of the Land Acquisition Act, 2013, in respect of land measuring 12,809 Sq.ft, 5,554 Sq.ft and 12,384 Sq.ft in T.S.No.1793/1, 1793/3 and 1789/2 respectively.

3. It is not in dispute that the lands originally stood in the name of the father of the respondent were acquired by the Government and handed over the Tamil Nadu Housing Board for developing housing schemes in the year 1982. The grievances of the respondent is that the compensation as awarded under the Land Acquisition Act, 1894 has not been settled in favour of the owners.

4. The learned counsel appearing on behalf of the respondent would



submit that they are not insisting for resumption of land but the compensation due to them is to be settled.

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5. In this regard, the Housing Board has addressed a letter to the respondent asking the respondent to produce title documents to establish his ownership enabling them to settle the compensation. The learned Single Judge referring the said letter of the Housing Board dated 07.06.2006 directed the respondent/writ petitioner to prove his ownership in respect of the property.

6. It is needless to state that the Government is liable to pay compensation in respect of the lands acquired. The respondent filed writ petition stating that compensation has not been paid but perusal of the counter affidavit filed by the Housing Board before the Writ Court would show that the compensation award was deposited on the file of sub Court, Tiruvannamalai.

7. Since the respondent is not questioning the acquisition proceedings but claiming compensation for the lands acquired, this Court is of the considered view that no interference in respect of the impugned writ order is necessary. However, it is made clear that the respondent is bound to establish his title/ownership in respect of the acquired lands and in the event of establishing title the Housing Board shall disburse the compensation amount due to the respondent. In the event of any cloud in title/ownership, then the



respondent has to approach the Competent Civil Court for the purpose of establishing his title to receive the compensation in accordance with law.

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8. With these clarification, the Writ Appeal stands disposed of. No costs.

Consequently, the connected Miscellaneous Petition is closed.

(S.M.SUBRAMANIAM J.)(MOHAMMED SHAFFIQ J.)

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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**S.M.SUBRAMANIAM J.
AND
MOHAMMED SHAFFIQ J.**

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