



W.P.No.6900 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.6900 of 2019
and W.M.P.Nos.7639 and 7641 of 2019

Sadasivam Adiparamasvary,
Represented through her power Agent,
Jayachandran

... Petitioner

-Vs-

1. Union of India
Represented by its Secretary to Government (Revenue),
Chief Secretary, Puducherry.
2. The Sub-Collector Cum Land Acquisition Officer,
Puducherry.
3. The Deputy Collector (Revenue) North,
Cum Estate Officer, Government of Puducherry,
Puducherry.
4. The Director,
Adi Dravidar Welfare Department,
Puducherry.
5. The Settlement Officer-I,
Department of Survey and Land Records,
Puducherry.
6. The Tahsildar,
Oulgaret Revenue Village,
Puducherry.

... Respondents



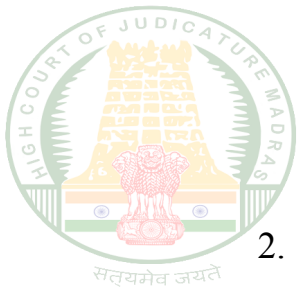
W.P.No.6900 of 2019

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Declaration, declaring that the Award No.17/75 dated 06.11.1975, passed by the second respondent herein as lapsed under Section 24 of Right to fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act 2013 in so far as Old S.No. (Cadastre) No.1747 1/4, 1747 2/4, 1747 3/4, 1748 2/4, 1748 3/4, Re.Survey No. 271/4b, Thattanchavady Revenue Village, Puducherry for the reason of not taking possession which was expressly recorded in award and consequently forbear the respondents from disturbing petitioner's possession based on lapsed land acquisition proceedings vide award No.17/75 dated 06.11.1975.

For Petitioner : Mr.Prakash Adiyapadam
for Mr.V.Moorthi
For Respondents : Mr.V.Vasanthakumar
Additional Government Pleader (Pondy)

ORDER

This writ petition has been filed for declaration declaring the Award 17/75 dated 06.11.1975 on the file of the second respondent as lapsed under Section 24 of Right to fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act 2013 (herein after called as “the New Act”) in so far as Old S.No. (Cadastre) No.1747 1/4, 1747 2/4, 1747 3/4, 1748 2/4, 1748 3/4, Re.Survey No.271/4b, Thattanchavady Revenue Village, Puducherry.

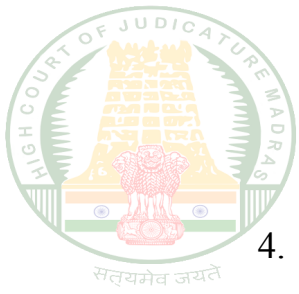


W.P.No.6900 of 2019

2. Heard the learned counsel on either side and perused the materials

available on record.

3. The land comprised in Old S.No. (Cadastre) No.1747 1/4, 1747 2/4, 1747 3/4, 1748 2/4, 1748 3/4, Re.Survey No.271/4b, Thattanchavady Revenue Village, Puducherry originally owned by one Sellapa W/o Arumugan Muthu @ Subburayan and D/o Murugan @ Mottai. It was acquired for the purpose of widening the Tindivanam High Road by National Highway Authority of India. After acquisition, the land ad-measuring 00.14.40 HA is in possession and enjoyment of the petitioner. That apart, though the Award was passed in respect of the subject property, no compensation amount was paid to the petitioner. Thereafter, the third respondent issued a show cause notice under the Public Premises Eviction of Unauthorized Occupants Act, 1971, thereby calling upon the petitioner to vacate the subject property, on the ground that the lands were acquired by the second respondent by the Award No.17/75 dated 06.11.1975. It was challenged before this Court in W.P.No.21253 of 2018 and the same was allowed and remanded back to conduct fresh enquiry and pass orders. Therefore, the petitioner sought for declaration of the entire Award proceeding as lapsed under Section 24(2) of the New Act.



W.P.No.6900 of 2019

4. A perusal of the counter and also on the submissions made by the learned Additional Government Pleader (Pondy) revealed that the lands comprised in Survey Nos.1747 to 1754 to an extent of 0.95.45 hectares situated in Oulgaret commune (Thattanchavady Village) were acquired by the Government for the provision of house sites to Harijans. Thereafter, the Award was passed on 06.11.1975 in Award No.17/75. The possession of the entire land was taken over and handed over to the Harijan Welfare Inspector, Department for the welfare of Scheduled Caste and Scheduled Tribes, Pondicherry. Insofar as the award compensation is concerned, a sum of Rs.3449.89 under Form D, the amount has been deposited in the Civil Court in LAOP.No.43 of 1976. Therefore, the petitioner had failed to satisfy the twin conditions as required under Section 24(2) of the New Act.

5. In view of the above, the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petitions are closed. No costs.

07.10.2025

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order
mn



W.P.No.6900 of 2019

WEB COPY

To

1. The Secretary to Government (Revenue),
Union of India,
Chief Secretary, Puducherry.
2. The Sub-Collector Cum Land Acquisition Officer,
Puducherry.
3. The Deputy Collector (Revenue) North,
Cum Estate Officer, Government of Puducherry,
Puducherry.
4. The Director,
Adi Dravidar Welfare Department,
Puducherry.
5. The Settlement Officer-I,
Department of Survey and Land Records,
Puducherry.
6. The Tahsildar,
Oulgaret Revenue Village,
Puducherry.



WEB COPY



W.P.No.6900 of 2019

G.K.ILANTHIRAIYAN. J,

mn

W.P.No.6900 of 2019

07.10.2025