



WEB COPY

WP No. 46108 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 46108 of 2025

S.Parvathi,
W/o. Sudhakar. No 10.
Athipattu Reddypalayam, Vallur Post,
Ponneri Taluk, Thiruvallur District 600 120.

..Petitioner

Vs

1.The Secretary To Government,
Transport Department, St. George Fort,
Chennai 600 009.

2.The Chairman,
Ennore Port Trust, Ennore, Chennai.

3.The District Collector,
Thiruvallur District, Thiruvallur.

4.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ponneri, Thiruvallur District.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus directing the 1st respondent to



consider and pass order on the petitioner representation dated 22.09.2023 which is seeking re-convey of Land U/s. 48 (B) of Land Acquisition Act 1894.

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For Petitioner: Mr. R.Sethuvarayar

For Respondents: Mr.Abishek Murthy, Government Advocate
for R1, R3 & R4

ORDER

The petitioner seeks a direction for the consideration of the representation dated 22.09.2023 for re-conveyance under Section 48B of the Land Acquisition Act, 1894 (the 1894 Act).

2. Learned counsel for the petitioner submits that the lands earlier owned by the petitioner were acquired under the 1894 Act for purposes for constructing staff quarters for employees of the Ennore Port Trust. He submits further that the lands were not used for the said purpose and that the petitioner is still in occupation thereof.

3. Mr.Abishek Murthy, learned Additional Government Pleader, accepts



notice for all the respondents. By referring to the judgment of the Hon'ble Supreme Court in *Indore Development Authority v. Manoharlal & others*, (2020) 8 SCC 129, he submits that Section 101 of Act 30 of 2013 is not applicable to an acquisition under the 1894 Act. Therefore, he submits that the relief claimed by the petitioner cannot be countenanced.

4. On perusal of the affidavit in support of the writ petition, it is evident that the award was issued in 1999 and 2003. It is also clear that compensation was deposited in the Treasury. The present writ petition has been filed more than two decades later. In these circumstances, the request of the petitioner cannot be countenanced especially in view of the inapplicability of Section 101 of Act 30 of 2013 to proceedings under the 1894 Act, and the repeal of the 1894 Act.

5. Therefore, the writ petition stands dismissed without any order as to costs.



04-12-2025

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

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SENTHILKUMAR RAMAMOORTHY, J.

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