



W.A.Nos.256 of 2024 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2025

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CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.RAJASEKAR

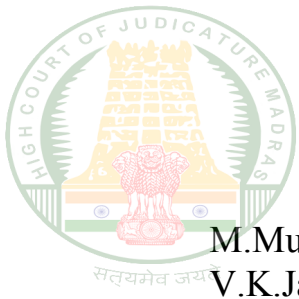
W.A.Nos.256, 309, 312, 314, 546, 3823, 3824, 3825, 3826, 3827, 3828,
3829, 3830, 3831, 3832, 3833, 3834, 3835, 3836, 3837, 3838, 3839, 3840,
3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852,
3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861, 3862, 3863 of 2024,
492, 498, 591, 592, 593, 594, 595 of 2025

The Chairman
Tamil Nadu Housing Board
No.331, Anna Salai
Nandanam
Chennai 600 035

.. Appellant in all the W.A's

v.

K.E.Murugan	.. 1 st respondent in WA.256/2024
P.M.Sankaran	.. 1 st respondent in WA.309/2024
P.Ambujam	.. 1 st respondent in WA.312/2024
P.Ambujam	.. 1 st respondent in WA.314/2024
P.Suresh Kumar	.. 1 st respondent in WA.546/2024
P.Ambujam	.. 1 st respondent in WA.3823/2024
D.Madhavan	.. 1 st respondent in WA.3824/2024
D.Madhavan	.. 1 st respondent in WA.3825/2024



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M.Muthu (Deceased)
V.K.Jayavelu
K.M.Sundaramoorthy
R.Kesavan
S.Rajalakshmi (Deceased)
M.Umakanthan
B.Bhavani
V.Baskaran
Tmt.Kanniammal
M.Vedavalli
D.Madhavan
Tmt.Kothai Nayagi
V.K.Sukumar
Tmt.Vasantha
B.Bhavani
V.Udayakumar
Chinnammal (Deceased)
P.M.Sankaran
Tmt.Bhavani
B.Gajendran
M.Muthu (Deceased)
K.N.Manavalan (Deceased)
V.Baskaran
B.Gajendran
Tmt.Kousalya
Tmt.Kanniammal
S.Rajalakshmi (Deceased)
C.Vadivelu (Deceased)

.. 1st respondent in WA.3826/2024
.. 1st respondent in WA.3827/2024
.. 1st respondent in WA.3828/2024
.. 1st respondent in WA.3829/2024
.. 1st respondent in WA.3830/2024
.. 1st respondent in WA.3831/2024
.. 1st respondent in WA.3832/2024
.. 1st respondent in WA.3833/2024
.. 1st respondent in WA.3834/2024
.. 1st respondent in WA.3835/2024
.. 1st respondent in WA.3836/2024
.. 1st respondent in WA.3837/2024
.. 1st respondent in WA.3838/2024
.. 1st respondent in WA.3839/2024
.. 1st respondent in WA.3840/2024
.. 1st respondent in WA.3841/2024
.. 1st respondent in WA.3842/2024
.. 1st respondent in WA.3843/2024
.. 1st respondent in WA.3844/2024
.. 1st respondent in WA.3845/2024
.. 1st respondent in WA.3846/2024
.. 1st respondent in WA.3847/2024
.. 1st respondent in WA.3848/2024
.. 1st respondent in WA.3849/2024
.. 1st respondent in WA.3850/2024
.. 1st respondent in WA.3851/2024
.. 1st respondent in WA.3852/2024
.. 1st respondent in WA.3853/2024

V.Arumugam
M.Banumathi
Mr.Magesh
M.Manigandan
Mrs.Manimozhi



W.A.Nos.256 of 2024 etc.

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Secretary to Government
Housing and Urban Development Department
Fort St. George Chennai 9.

The Tahsildar
Poonamallee, Thiruvallur District .. Respondents in WA.3854/2024

R. Kesavan
R.Elumalai
J.Dhanammal

Secretary to Government
Housing and Urban Development Department
Fort St.George, Chennai – 9 .. Respondents in WA.3855/2024

K.E.Murugan	..	1 st respondent in WA.3856/2024
S.Rajalakshmi (Deceased)	..	1 st respondent in WA.3857/2024
K.E.Murugan	..	1 st respondent in WA.3858/2024
Tmt.Gomalavalli (Deceased)	..	1 st respondent in WA.3859/2024
K.M.Sundaramoorthy	..	1 st respondent in WA.3860/2024
B.Gajendran	..	1 st respondent in WA.3861/2024
V.K.Sambantham	..	1 st respondent in WA.3862/2024
B.Elumalai	..	1 st respondent in WA.3863/2024
P.M.Sankaran	..	1 st respondent in WA.492/2025
Tmt.Saraswathi (Deceased)	..	1 st respondent in WA.498/2025

P. Suseela
Mrs.Kalyani
M.Vijayababu
M.Ramu
M.Lakshmanan
M.Revathi



W.A.Nos.256 of 2024 etc.

Secretary to Government
Housing and Urban Development Department
Fort St. George, Chennai-9

Respondents in WA.591/2025

K.M.Sundaramoorthy

1st respondent in WA.592/2025

Mrs.Saradambal
Mrs.Rose @ Imalaya
Mrs.Sudha

The Secretary to Government
The Government of Tamil Nadu
Housing and Urban Development
Department, Secretariat Chennai-9

Respondents in WA.593/2025

K.Yagamoorthy
Mrs.Alamelu
Mrs.Gnanasundari
Mr.Bakthavatchalam Naidu
D.Mani
J.Vijayakumar
S.G.Kalaiaarasu
V.Sagayam
P.Jayachandran (Deceased)
Mrs.Anjalai

The Secretary to Government
Housing and Urban Development Department
Secretariat, Chennai 600 009

Respondents in WA.594/2025

V.Yamuna
S.Kalpana

The Secretary to Government



W.A.Nos.256 of 2024 etc.

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The Government of Tamil Nadu
Housing and Urban Development Department
Fort St.George, Chennai 600 009

The District Collector
Thiruvallur District Thiruvallur.

The Special Tahsildar
Land Acquisition, Unit-IV
Tamil Nadu Housing Board
Chennai 600 035

.. Respondents in WA.595/2025

The Secretary to Government
The Government of Tamil Nadu
Housing and Urban
Development Department
Fort St.George/Secretariat
Chennai 600 009

.. 2nd respondent in WA.Nos.256,
309, 312, 314, 546, 3823, 3824,
3825, 3826, 3827, 3828, 3829,
3830, 3831, 3832, 3833, 3834,
3835, 3836, 3837, 3838, 3839,
3840, 3841, 3842, 3843, 3844,
3845, 3846, 3847, 3848, 3849,
3850, 3851, 3852, 3853, 3856,
3857, 3858, 3859, 3860, 3861,
3862, 3863 of 2024, 492, 498,
592 of 2025

The District Collector
Thiruvallur District, Thiruvallur

.. 3rd respondent in WA.Nos.256,
309, 312, 314, 3825, 3826, 3828,



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W.A.Nos.256 of 2024 etc.

3830, 3831, 3832, 3833, 3835,
3836, 3840, 3841, 3845, 3846,
3847, 3850, 3851, 3852, 3856,
3861 of 2024, 492, 498, 592
of 2025

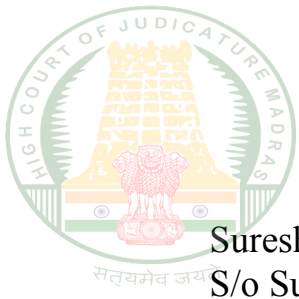
The Tahsildar
Tamil Nadu Housing Board
No.331, Anna Salai
Nandanam, Chennai 600 035

.. 4th respondent in WA.Nos.256,
309, 312, 314, 3825, 3826,
3828, 3830, 3831, 3832, 3833,
3835, 3836, 3840, 3845, 3846,
3847, 3852, 3856, 3861 of 2024,
492, 592 of 2025

Meera
W/o Muthu (late)
Mekala
D/o Muthu (late)
Selvi
D/o Muthu (late)
Seenivasan
S/o Muthu (late)
(R5 to R8 impleaded as LR's of
deceased R1 vide order of Court
dated 17.03.2025 in CMP.Nos.3293
& 4085/2025 in WA Nos.3826 &
3846/2024)

.. Respondents 5 to 8 in
WA's.3826 & 3846 of 2024

Subburaman
C/o Rajalakshmi (late)



W.A.Nos.256 of 2024 etc.

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Suresh

S/o Subburaman

Renuka

D/o Subburaman

Vivek

S/o Subburaman

(R5 to R8 impleaded as LR's of
deceased R1 vide order of Court
dated 17.03.2025 in CMP Nos.3679
& 3680/2025 in WA Nos.3830 &
3852/2024)

.. Respondents 5 to 8 in
WA's.3830 & 3852 of 2024

Nagarajan

S/o Varathan (late)

Shanthi

D/o Varathan (late)

Kasthuri

D/o Varathan (late)

Srinivasan

S/o Varathan (late)

Pazhanisamy

S/o Varathan (late)

(R3 to R7 impleaded as LR's of
deceased R1 vide order of Court
dated 17.03.2025 in CMP.4071/2025
in WA.3842/2024)

.. Respondents 3 to 7 in
WA.3842 of 2024

Sundar Rajan

S/o Manavalan (late)

Kalyani

D/o Manavalan (late)

Purushothaman

S/o Manavalan (late)



W.A.Nos.256 of 2024 etc.

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Vasudevan

S/o Manavalan (late)

Harikrishnan

S/o Manavalan (late)

(R5 to R9 impleaded as LR's of
deceased R1 vide order of Court
dated 17.03.2025 in CMP.3284/2025
in WA.3847/2024)

.. Respondents 5 to 9 in
WA.3847 of 2024

Selvanayagi

W/o Vadivelu (late)

Shanthi

D/o Vadivelu (late)

Ganesh

S/o Vadivelu (late)

Jayanthi

D/o Vadivelu (late)

(R3 to R6 impleaded as LR's of
deceased R1 vide order of Court
dated 17.03.2025 in CMP.6061/2025
in WA.3853/2024)

.. Respondents 3 to 6 in
WA.3853 of 2024

Subburaman

C/o Rajalakshmi (late)

Suresh

S/o Subburaman

Renuka

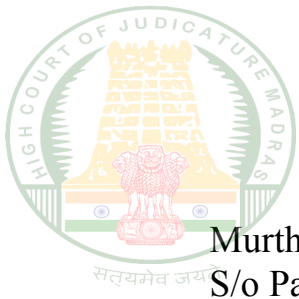
D/o Subburaman

Vivek

S/o Subburaman

(R3 to R6 impleaded as LR's of
deceased R1 vide order of Court
dated 17.03.2025 in CMP.3710/2025
in WA.3857/2024)

.. Respondents 3 to 6 in
WA.3857 of 2024



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WEB COURT

Murthy

S/o Parthasarathy

(R3 impleaded as LR of deceased R1
vide order of Court dated 17.03.2025
in CMP.3285/2025 in WA.3859/2024)..

Respondent No.3 in
WA.3859 of 2024

Sivagnanam

S/o Thirunavukarasu Mudaliar

Sathish Kumar

S/o Sivagnanam

Ashok Kumar

S/o Sivagnanam

Hemalatha

D/o Sivagnanam

Mythili

D/o Sivagnanam

(R4 to R8 impleaded as LRs of
deceased R1 vide order of Court
dated 17.03.2025 in CMP.6069/2025
in WA.498/2025)

..

Respondents 4 to 8 in
WA.498 of 2025

Anjali

W/o Jayachandran (late)

Baskar

S/o Jayachandran (late)

Priya

D/o Jayachandran (late)

Mani

S/o Jayachandran (late)

(R12 to R15 impleaded as LRs of
deceased R9 vide order of Court
dated 17.03.2025 in CMP.3692/2025
in WA.594/2025)

..

Respondents 12 to 15 in
WA.594 of 2025



W.A.Nos.256 of 2024 etc.

Memorandum of Grounds of Writ Appeals filed under Clause 15 of the Letters Patent against the orders dated 18.11.2021 & 07.01.2022 passed in W.P.Nos.29849 of 2012, 28892 of 2012, 22023 of 2013, 28895 of 2012, 34136 of 2014, 33222 of 2014, 34423 of 2014, 24156 of 2013, 29759 of 2012, 8929 of 2010, 22025 of 2013, 4835 of 2019, 7051 of 2013, 24171 of 2013, 28896 of 2012, 22024 of 2013, 8932 of 2010, 29757 of 2012, 29846 of 2012, 34133 of 2014, 8927 of 2010, 8928 of 2010, 24170 of 2013, 8938 of 2010, 8933 of 2010, 33221 of 2014, 8930 of 2010, 24155 of 2013, 24153 of 2013, 22022 of 2013, 34422 of 2014, 8873 of 2015, 8939 of 2010, 8935 of 2010, 22020 of 2013, 7738 of 2019, 13867 of 2019, 4836 of 2019, 24157 of 2013, 34135 of 2014, 8869 of 2015, 8924 of 2010, 8872 of 2015, 29756 of 2012, 8925 of 2010, 8934 of 2010, 24154 of 2013, 8940 of 2010, 7189 of 2019, 28893 of 2012, 3577 of 2016, 15687 of 2015, 33563 of 2014, respectively.

For Appellant :: Mr.R.Viduthalai
Senior Counsel assisted by
Dr.N.Moorthi.
Standing Counsel for TNHB

For Respondents :: Mr.A.S.Ragul Adhithya for R1
in WA.256 of 2024

Ms.P.T.Ramadevi for R1
in WA.309 of 2024

Mr.L.Chandrakumar for R1
in WA's.312, 314, 3823 of 2024

Mr.V.Manohar and
Mr.L.G.Sahadevan for R1
in WA's.546, 3824, 3825, 3827, 3828,
3832, 3833, 3834, 3836, 3837, 3839,
3840, 3841, 3844, 3845, 3848, 3849,
3850, 3851, 3860, 3861, 3862, 3863



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W.A.Nos.256 of 2024 etc.

of 2024, 592, 595 of 2025

Mr.V.Manohar and
Mr.L.G.Sahadevan for R5 to R8
in WA's.3826, 3830, 3846, 3852/2024

Mr.V.Manohar and
Mr.L.G.Sahadevan for R3 to R7
in WA.3842 of 2024

Mr.V.Manohar and
Mr.L.G.Sahadevan for R3 to R6
in WA.3853, 3857 of 2024

Mr.V.Manohar and
Mr.L.G.Sahadevan for R5 to R9
in WA.3847 of 2024

Mr.V.Manohar and
Mr.L.G.Sahadevan for R3
in WA.3859 of 2024

Mr.V.Manohar and
Mr.L.G.Sahadevan for R4 to R8
in WA.498 of 2025

Mr.V.Manohar and
Mr.L.G.Sahadevan for R1 to R4 & R6
in WA.591 of 2025

Mr.V.Manohar and
Mr.L.G.Sahadevan for R1 to R3
in WA.593 of 2025



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W.A.Nos.256 of 2024 etc.

Mr.V.Manohar and
Mr.L.G.Sahadevan for R1 to R8, R10,
R12 to R15 in WA.594 of 2025

No appearance for R2 to R4 in
WA's.256, 309, 312, 314, 3825, 3826,
3828, 3830, 3832, 3833, 3836, 3840,
3845, 3846, 3847, 3852, 3861/2024,
592/2025

No appearance for R2 in WA's.546,
3823, 3824, 3827, 3834, 3837, 3839,
3842, 3844, 3848, 3849, 3853, 3857,
3859, 3860, 3862, 3863 of 2024

No appearance for R1 & R2 in
WA.3829, 3838, 3843, 3858/2024

No appearance for R1 to R4 in
WA.3831, 3835, 3855, 3856/2024,
492 of 2025

No appearance for R2 & R3 in
WA.3841, 3850, 3851/2024, 498/2025

No appearance for R1 to R4, R6 & R7
in WA.3854 of 2024

No appearance for R7 in
WA.591 of 2025

No appearance for R4 in
WA.593 of 2025

No appearance for R11 in
WA.594 of 2025



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W.A.Nos.256 of 2024 etc.

No appearance for R2 to R5 in
WA.595/2025

COMMON JUDGMENT

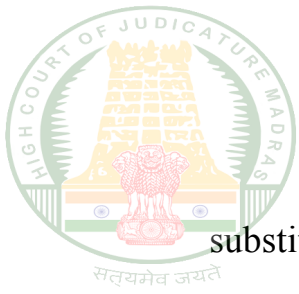
(Judgment of the Court was made by S.M.SUBRAMANIAM,J.)

1.1. C.M.P.Nos.3293 & 4085 of 2025 in W.A.Nos.3826 & 3846 of 2024 seeking to substitute the petitioners as legal heirs of deceased 1st respondent, stand ordered and they are impleaded as respondents 5 to 8 in W.A.Nos.3826 & 3846 of 2024.

1.2. C.M.P.Nos.3679 & 3680 of 2025 in W.A.Nos.3830 & 3852 of 2024 seeking to substitute the petitioners as legal heirs of deceased 1st respondent, stand ordered and they are impleaded as respondents 5 to 8 in W.A.Nos.3830 & 3852 of 2024.

1.3. C.M.P.No.4071 of 2025 in W.A.No.3842 of 2024 seeking to substitute the petitioners as legal heirs of deceased 1st respondent, stands ordered and they are impleaded as respondents 3 to 7 in W.A.No.3842 of 2024.

1.4. C.M.P.No.3284 of 2025 in W.A.No.3847 of 2024 seeking to



W.A.Nos.256 of 2024 etc.

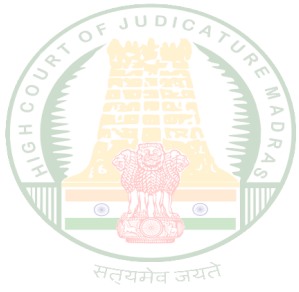
substitute the petitioners as legal heirs of deceased 1st respondent, stands ordered and they are impleaded as respondents 5 to 9 in W.A.No.3847 of 2024.

1.5. C.M.P.No.6061 of 2025 in W.A.No.3853 of 2024 seeking to substitute the petitioners as legal heirs of deceased 1st respondent, stands ordered and they are impleaded as respondents 3 to 6 in W.A.No.3853 of 2024.

1.6. C.M.P.No.3710 of 2025 in W.A.No.3857 of 2024 seeking to substitute the petitioners as legal heirs of deceased 1st respondent, stands ordered and they are impleaded as respondents 3 to 6 in W.A.No.3857 of 2024.

1.7. C.M.P.No.3285 of 2025 in W.A.No.3859 of 2024 seeking to substitute the petitioner as legal heir of deceased 1st respondent, stands ordered and he is impleaded as respondent No.3 in W.A.No.3859 of 2024.

1.8. C.M.P.No.6069 of 2025 in W.A.No.498 of 2025 seeking to substitute the petitioners as legal heirs of deceased 1st respondent, stands ordered and they are impleaded as respondents 4 to 8 in W.A.No.498 of 2025.

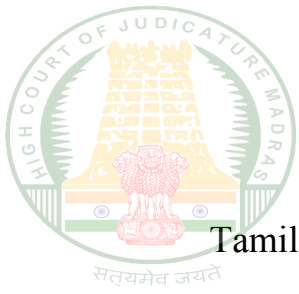


W.A.Nos.256 of 2024 etc.

1.9. C.M.P.No.3692 of 2025 in W.A.No.594 of 2025 seeking to substitute the petitioners as legal heirs of deceased 9th respondent, stands ordered and they are impleaded as respondents 12 to 15 in W.A.No.594 of 2025.

2. The batch of intra-Court appeals on hand have been instituted under Clause 15 of the Letters Patent, challenging the orders passed by the writ Court dated 18.11.2021 & 07.01.2022 respectively, in the batch of writ petitions.

3. The facts in brief required for consideration would be that the land acquisition proceedings in five villages, namely, Koothambakkam, Vellavedu, Parvatharajapuram, Narasingapuram and Chembarambakkam villages were initiated by the Government under the Land Acquisition Act, 1894 (hereinafter referred to as “the old LA Act”) in the year 1998, pursuant to the announcement made by the Hon'ble Minister for Housing and Urban Development on the floor of the Assembly on 21.08.1996, for developing Tirumazhisai Neighbourhood Scheme through the requisitioning body,



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Tamil Nadu Housing Board. Acquisition proceedings were initiated to acquire 1694.98 acres, which includes 743.35 acres of wet lands and 951.63 acres of dry lands. S.4(1) notification was issued. Admittedly, awards have been passed in respect of 466.49 acres, which includes 371.59 acres of wet lands and 94.90 acres of dry lands. In respect of lands acquired after passing of awards, the Government passed an order and handed over the acquired lands to the Tamil Nadu Housing Board. Challenging S.4(1) notification, writ petitions were filed by the owners. The batch of writ petitions filed challenging S.4(1) notification were allowed and aggrieved thereby, the Tamil Nadu Housing Board and the Special Tahsildar (Land Acquisition) preferred writ appeals before this Court. The writ appeals filed by the Tamil Nadu Housing Board were dismissed by the Division Bench of this Court vide the common judgment dated 19.10.2023. Special Leave Petition filed by the Tamil Nadu Housing Board was dismissed at the admission stage.

4. Fact remains that the Government itself came out with a revised proposal and had taken a decision to drop the acquisition proceedings in



W.A.Nos.256 of 2024 etc.

respect of cases where no award has been passed. Accordingly, lands to an extent of 1228.49 acres were exempted from land acquisition proceedings, mainly on the ground that no award has been passed in those cases. The Government considered the revised proposal of the Managing Director, Tamil Nadu Housing Board for formation of Tirumazhisai Satellite Township and decided not to acquire lands any further, except 235.67 acres of lands, for which awards have been passed and possession handed over to Tamil Nadu Housing Board, 33.42 acres for which possession yet to be handed over to Tamil Nadu Housing Board, 102.50 acres covered under Court cases, for which award has already been passed. Altogether 371.59 acres of wet lands and 94.90 acres of dry lands, for which award has been passed and possession yet to be handed over and 12.96 acres of wet lands for formation of approach road. Entire land is totally 466.49 acres.

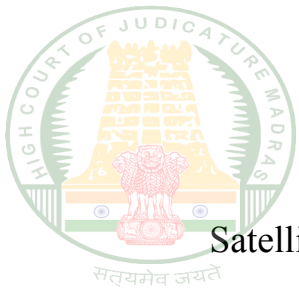
5. As far as the present batch of writ appeals are concerned, the acquisition involved is to an extent of 83.29 acres. It is not in dispute between the parties that award had been passed in all those cases and compensation had been deposited either in civil Court deposit or in district



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treasury and in some of the cases, the erstwhile land owners withdrew the award amount. Therefore, out of 466.49 acres of lands, wherein award has been admittedly passed, 83.29 acres of lands including the lands covered in two writ petitions have been involved in respect of the batch of writ appeals now before this Court.

6. The learned Senior Counsel Mr.R.Viduthalai appearing on behalf of the Tamil Nadu Housing Board would mainly contend that the lands involved in the present batch of writ appeals measuring 83.29 acres are concerned, admittedly award has been passed and compensation has been deposited by the Government and the Tamil Nadu Housing Board being the requisitioning body has taken possession. The Tamil Nadu Housing Board has already developed Tirumazhisai Satellite Township under the very same scheme originally mooted out and extended the scheme for 350 acres and the scheme is in progress. When the scheme is being implemented in about 350 acres with construction of bus stand and developments have already been made in some areas, approximately about 122.99 acres, the lands acquired to an extent of 83.29 acres are also part of the same Tirumazhisai



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Satellite Township and therefore the learned single Judge has committed an error in allowing the writ petitions relying on the judgment of the Division Bench in connection with S.4(1) notification.

7. The learned Senior Counsel would further submit that the benefit of G.O.Ms.No.7 dated 03.01.2007 cannot be extended to the private respondents in the present writ appeals, in view of the fact that in their cases, award has been passed in the year 2006 and compensation has been deposited and possession taken. Even as per the Constitution Bench judgment of the Hon'ble Supreme Court in the case of *Indore Development Authority v. Manoharlal and others etc.*, (2020) 8 SCC 129, one of the conditions under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “the new LA Act”) is complied with, then the acquisition cannot be held as lapsed. Thus the writ Court has erred in allowing the writ petitions.

8. Regarding re-conveyance of land under Section 48-B of the old LA

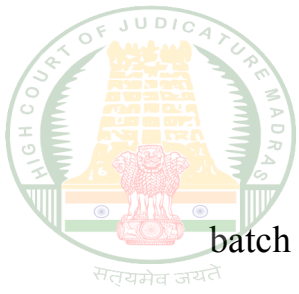


W.A.Nos.256 of 2024 etc.

WEB CONFERENCE

Act is concerned, the land vest with the Government was transferred in favour of the requisitioning body, Tamil Nadu Housing Board. Therefore, re-conveyance of land under Section 48-B would not arise at all. The respective learned counsels appearing on behalf of the private respondents Mr.V.Manohar, Mr.L.G.Sahadevan, Mr.L.Chandrakumar, Mr.A.S.Ragul Adhithya, Ms.P.T.Ramadevi would submit that the Division Bench of this Court, while dealing with the batch of writ appeals in connection with the challenge made to S.4(1) notification, made an observation that large chunk of lands were excluded from land acquisition proceedings by virtue of G.O.Ms.No.7 dated 03.01.2007. The respondents/writ petitioners are also similarly placed and they are entitled for the same relief. Contra decision would be violative of Article 14 and 21 of the Constitution of India and therefore the learned single Judge considered the judgment of the Division Bench of this Court and quashed the acquisition proceedings in respect of lands to an extent of 83.29 acres. Therefore the writ appeals are to be rejected.

9. The observations made by the Division Bench of this Court in the



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batch of writ appeals are relied upon by the private respondents so as to submit that once the scheme is dropped partially, the remaining lands acquired are also to be exempted under Section 48-B of the old LA Act. Even otherwise, the respondents are entitled to the benefit under Section 24(2) of the new LA Act, as possession vest with the private respondents and symbolic possession would be insufficient. Therefore, the learned single Judge has considered all these aspects elaborately and therefore the writ appeals are to be rejected.

10. This Court considered the arguments as advanced between the parties to the lis on hand.

11. Firstly, regarding re-conveyance of land under Section 48-B of the old LA Act is concerned, satisfaction of Government is the requisite element for re-conveyance of land, which was already acquired. The Government must be satisfied that the land, which is sought to be released, is not required for the purpose for which it was acquired or for any public interest. It is needless to state that once the lands are acquired, declaration



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issued, award passed and compensation deposited, the lands absolutely vest with the Government and therefore, re-conveyance cannot be claimed as an absolute right by the erstwhile land owners. In the present cases, lands acquired by the Government were transferred in favour of the Tamil Nadu Housing Board and the Tamil Nadu Housing Board is in the process of implementing Tirumazhisai Satellite Township. It is brought to the notice of this Court that the scheme is in implementation and developments are already made in respect of the lands measuring to an extent of 122.99 acres. The award is also passed in respect of 466.49 acres of lands, out of which 350 acres are being utilized for developing Tirumazhisai Satellite Township. There is no dispute in respect of 350 acres of land, since the land owners have not come forward to challenge the acquisition. In cases where no award has been passed, that land has been dropped and as far as the cases where awards have been passed, the Government transferred the lands to the Tamil Nadu Housing Board and the said lands are being utilized for developing Tirumazhisai Satellite Township.

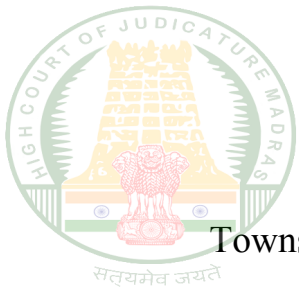
12. The respondents made an attempt to take advantage of the



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Government Order passed in G.O.Ms.No.7, Housing and Urban
WEB COPY Development Department dated 03.01.2007 granting exemption in respect

of 1228.49 acres. As far as the said lands are concerned, admittedly, no award was passed and therefore the equality clause pleaded by the private respondents deserves no merit consideration. Equality clause is to be applied amongst equals and not against unequals. In the present cases, award passed cases cannot be equated with award not passed cases. Admittedly, in the case of private respondents in the present batch of writ appeals, awards were passed and compensation was deposited by the Government and some of the land owners had already withdrew the compensation and some filed petitions for enhancement of compensation. That being so, the observations made by the Division Bench in respect of the writ appeals filed challenging S.4(1) notification has no application in respect of the private respondents in the present batch of writ appeals. Even after granting exemption to a larger extent, the land already vest with the Government. An extent of 466.49 acres were transferred to the Tamil Nadu Housing Board and the Tamil Nadu Housing Board has commenced its project and is in the process of implementing the Tirumazhisai Satellite

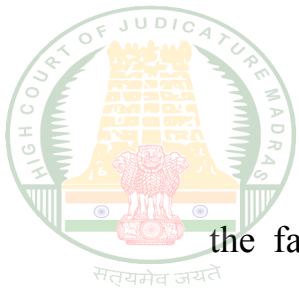


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Township. Thus the point of discrimination as raised on behalf of the private respondents would have no application.

13. In respect of Section 24(2) of the new LA Act, it is not in dispute that in respect of the lands acquired from the private respondents in the present batch of writ appeals, compensation amount was deposited pursuant to the award passed in the year 2006. Some of the owners have already withdrawn the compensation. Even as per the ratio laid down by the Constitution Bench of the Hon'ble Supreme Court of India in the case of *Indore Development Authority v. Manoharlal and others etc.*, (2020) 8 SCC 129, settled cases cannot be unsettled after a lapse of long years. It is sufficient if anyone of the conditions contemplated under Section 24(2) has been complied with. In the present cases, there is no dispute between the parties that the compensation had already been deposited.

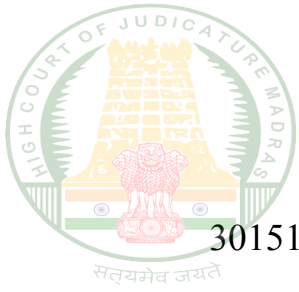
14. Regarding possession, the Tamil Nadu Housing Board would submit that they have taken possession. Though it is disputed by the private respondents/owners, the same deserves no further consideration, in view of



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the fact that award was passed in the year 2006 and compensation had already been deposited and Tirumazhisai Satellite Town is under development. That being so, the benefit of Section 24(2) of the new LA Act cannot be extended in favour of the private respondents.

15. As far as the Division Bench judgment relied on by the private respondents is concerned, the observations made therein are of no avail, since those writ petitions are relating to the challenge made to S.4(1) notification and more so, the Government has dropped the acquisition proceedings in respect of cases where no award has been passed. In view of the above discussions, this Court is of the considered opinion that the reliance placed by the writ Court with reference to the findings made in the Division Bench order dated 19.10.2023 are of no avail. Consequently, the impugned orders dated 18.11.2021 & 07.01.2022 respectively, passed in the writ petitions are set aside and the writ appeals are allowed. Consequently, C.M.P.Nos.1606, 1911, 1922, 1924, 3768, 30125, 30126, 30124, 30130, 30127, 30129, 30131, 30132, 30134, 30135, 30137, 30136, 30138, 30139, 30141, 30140, 30142, 30143, 30144, 30145, 30146, 30148, 30149, 30150,



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30151, 30152, 30153, 30155, 30156, 30154, 30157, 30160, 30161, 30162,
30163, 30164, 30165, 30166, 30167, 30168, 30174 of 2024, 4285, 4321,
4733, 4734, 4736, 4742, 4762 of 2025 are closed. No costs.

Index : yes

(S.M.S.,J.)

(K.R.S.,J.)

Neutral citation : yes

17.03.2025

Registry is directed to carryout
the amendment in respect of cause title
in the concerned bundle forthwith

ss

To

1. The Chairman
Tamil Nadu Housing Board
No.331, Anna Salai
Nandanam, Chennai 600 035
2. The Secretary to Government
Housing and Urban Development Department
Fort St.George, Chennai 600 009
3. The District Collector
Thiruvallur District Thiruvallur
4. The Special Tahsildar
Land Acquisition, Unit-IV
Tamil Nadu Housing Board
Chennai 600 035



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W.A.Nos.256 of 2024 etc.

S.M.SUBRAMANIAM,J.

AND

K.RAJASEKAR,J.

SS

W.A.Nos.256 of 2024 etc.

17.03.2025