



W.P.No.19385 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2025

CORAM :

THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY
and
THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

W.P.No.19385 of 2025
and W.M.P.Nos.21638 and 21639 of 2025

S.Sai Kishore

... Petitioner

Vs.

1.The Principal Secretary to the Government
Housing and Urban Development Department
Fort St. George
Chennai 600 009

2.The Special Tahsildar
(Land Acquisition) Housing Scheme
Hosur
Krishnagiri District

3.The Managing Director
Tamil Nadu Housing Board
493, Anna Salai
Nandanam, Chennai 600 035

4.The Executive Engineer
Tamil Nadu Housing Board
Hosur Housing Board Section
Pagaloor Road, Hosur, Krishnagiri

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, calling for the records relating to letter No.P2/5389/2005 dated 20.05.2025, issued by the 4th respondent and to quash the same.

For Petitioner : Mr.K.A.Ravindran
for Durai Gunasekaran

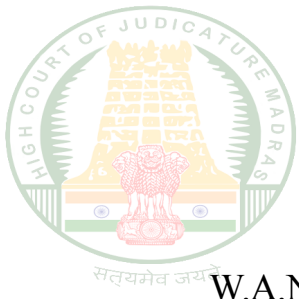
For Respondents : Mr.T.K.Saravanan
Addl. Govt. Pleader - R1 & R2

Mr.S.Ramachandran
Standing Counsel - R3 & R4

ORDER

(Order of the Court was made by *SENTHILKUMAR RAMAMOORTHY, J.*)

The petitioner challenges a communication dated 20.05.2025 from the 4th respondent. Pursuant to proceedings initiated under the erstwhile Land Acquisition Act, Award No.2 of 1994 was issued and the compensation amount was deposited in the Sub Court, Hosur. The petitioner's mother filed W.P.No.12259 of 2014, which was allowed by order dated 03.09.2014 and Award No.2 of 1994 was quashed insofar as the petitioner's land was concerned. The 3rd respondent filed



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W.A.No.1379 of 2018, which was allowed by judgment dated 10.07.2023. At paragraph 10 thereof, this Court categorically recorded that the Tamilnadu Housing Board took possession of the property, deposited the compensation amount and issued notice to the land owner. In those circumstances, the writ appeal was allowed by granting leave to the petitioner's mother to agitate the matter afresh under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 i.e. the Central Act 30 of 2013. The petitioner's mother did not take any steps pursuant thereto.

2.On or about 12.11.2024, the petitioner sent a representation to the Chief Minister's Special Cell. Such letter has been forwarded to the 4th respondent for necessary action.

3.Mr.T.K.Saravanan, learned Additional Government Pleader accepts notice on behalf of respondents 1 and 2 and Mr.S.Ramachandran, learned Standing Counsel accepts notice on behalf of respondents 3 and 4.



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4.Learned counsel for the Housing Board has placed on record the patta issued to the Housing Board pursuant to the acquisition. Therefore, he submits that the petitioner is no more than an encroacher.

5.In the facts and circumstances outlined above, we are not inclined to grant any protection to the petitioner. However, we leave it open to the 4th respondent to consider the petitioner's representation dated 12.11.2024 and dispose of the same on merits within six (6) weeks from the date of receipt of a copy of this order. This writ petition is disposed of on the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

[S.K.R, J.] [T.V.T.S, J.]
28.05.2025
(2/2)

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Index: Yes / No
Neutral Citation



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