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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.No.221 of 2023 and
C.M.P.No.2282 of 2023

1. G.Sriramulu
2. S.Padma @ Padmavathy ... Appellants/Petitioners

-vs-

1. The District Collector,
   Vellore District,
   Vellore.

2. The Land Acquisition Officer / The Special Tahsildar (ADW),
   Gudiyatham, Vellore District. ... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 06.07.2002 passed by the learned Judge in W.P.No.7839 of 2015.

For Appellant : Mr.D.Ananth
For Mr.D.Rajagopal

For Respondents : Mr.T.Arun Kumar
Addl. Govt. Pleader

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J U D G M E N T

(By.S.M.SUBRAMANIAM,J.,)

The order dated 06.07.2022 passed in W.P.No.7839 of 2015 is under challenge in the present intra Court appeal instituted under

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Clause 15 of the Letters Patent. The Writ Petitioners are the appellants before this Court.

2. The Writ of Declaration has been instituted, praying to declare that the Land Acquisition Proceedings initiated in the year 1999 became lapsed on account of Section 24(2) of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation Settlement 2013.

3. The acquisition proceedings were initiated under the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act and the Notification dated 30.03.1999 was issued. The appellants challenged the land acquisition proceedings in W.P.No.428 of 2004 and the said Writ Petition was dismissed. Subsequently, the Writ Appeal filed by the appellants in W.A.No.920 of 2009 was also dismissed. The Special Leave Petition filed by the appellants, challenging the writ order and the writ appeal order came to be failed. Thus, the acquisition proceedings became final and the authorities proceeded under the provisions of the Act.

4. In the present case, learned Single Judge recorded that after following the procedures, compensation amount had been deposited in revenue deposit, since the erstwhile land owners refused to receive the

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compensation. Possession had been taken and that being the factum recorded by the Writ Court, there is no reason for this Court to interfere with the finding. The appellants have not produced any further evidence to establish that twin conditions contemplated under Section 24 (2) of the Act have not been complied with.

5. The cumulative effect of various judgments reaffirms the principles of the case in ***Indore Development Authority vs. Manohar Lal & Others,*** *reported in* ***(2020) 8 SCC 129,*** as the settled position of law. The Hon'ble Supreme Court has made it abundantly clear that:

> (1) Section 24(2) is an exceptional provision and must be strictly construed.
>
> (2) Lapse of acquisition arises only when both conditions non-payment and non-possession coexist.
>
> (3) Tendering of compensation is equivalent to payment; non-deposit in court alone does not cause lapse.
>
> (4) Periods during which proceedings were stayed by court orders are excluded from the five-year computation.
>
> (5) Litigants cannot claim lapse based on delay caused by their own interim reliefs.

6. In the present case, the land acquisition proceedings were challenged by the erstwhile land owners and they became unsuccessful upto the Apex Court of India. The proceedings were completed. Since the

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owners refused to receive the compensation, it was deposited in revenue deposit by the competent authority. That being so, this Court does not find any infirmity in respect of the decision arrived at by the Writ Court and thus, the order of the Writ Court stands confirmed.

7. Accordingly, the Writ Appeal is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S,J.,) (C.K,J.,)
16.12.2025

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To:

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