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W.A.No.2221 of 2022

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2025

CORAM:

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

W.A.No. 2221 of 2022

1.V.Sankaran

2.V.Thirunavukkarasu

3.S.Bharath Kumar

...Appellants

Vs.

1.The Sate of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai – 600 009.

2.The Tamil Nadu Housing Board,
Rep. by its Managing Director,
Nandanam, Chennai – 600 035.

3.The Special Tahsildar,
Land Acquisition,
Tamil Nadu Housing Board Scheme,
Nandanam, Chennai – 600 035.

...Respondents

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the impugned order passed in W.P.No.6222 of 2020 dated 22.07.2022 and thereby allow the Writ Appeal.



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For Appellants : Mr.R.Abdul Mubeen

For Respondents : Mr.Vadivelu Deenadayalan,
Addl. Govt. Pleader for RR1 and 3
Mr.D.R.Arun Kumar for R2

J U D G M E N T

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

The present intra-Court appeal has been instituted against the writ order dated 22.07.2022 made in W.P.No.6222 of 2020.

2. The writ petitioners are the appellants before this Court. It is not in dispute between the parties that the land acquisition proceedings completed in all respects under the old Land Acquisition Act. The Writ Petition has been instituted by invoking Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 [Hereinafter referred as “Act, 2013”].

3. The learned counsel for the appellants would mainly contend that the twin conditions had not been complied with in the present case. The possession of the acquired land is still with the appellants and therefore, the entire acquisition proceedings are to be declared as lapsed in view of Section 24(2) of

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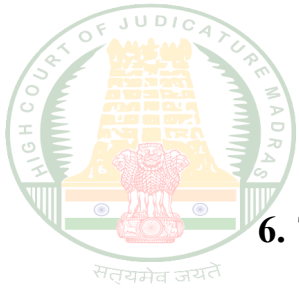
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the Act, 2013.

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4. Per contra, the learned Additional Government Pleader would oppose by stating that the erstwhile owners of the acquired lands have earlier challenged the acquisition proceedings at the initial stage and they were unsuccessful. The acquisition proceedings are completed in all respects and currently the land was handed over to the Tamil Nadu Housing Board, the statutory body for developing housing schemes.

5. The contention of the appellants that the compensation amount had not been deposited is incorrect. To substantiate the said argument, the learned Government Pleader had produced a copy of the letter issued by the pay and accounts Officer (South), Chennai to the Special Tahsildar (Land Acquisition), Unit V, Tamil Nadu Housing Board, Chennai and the treasury challan. The award and compensation payment details would include subject land in S.No.629/1A. In fact, the names of the legal heirs of the erstwhile owners also have been recorded in the proceedings. That being so, the appellants have not established the twin mandatory conditions contemplated under Section 24(2) of the Act, 2013 has not been complied with. Thus, the appellants are not entitled for the relief of declaration.



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6. The writ Court also rightly arrived at a conclusion, which requires no

interference. Consequently, the Writ Appeal stands **dismissed**. No costs.

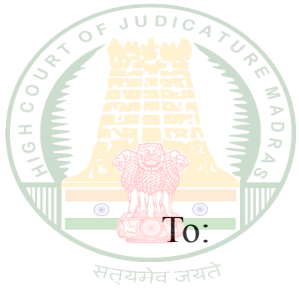
(S.M.S., J.) (C.S.N., J.)
12.09.2025

dsa

Index : Yes/No

Neutral Citation : Yes/No

Speaking/Non-speaking order



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To:

1. The Secretary,
State of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George,
Chennai – 600 009.
2. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai – 600 035.
3. The Special Tahsildar,
Land Acquisition,
Tamil Nadu Housing Board Scheme,
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and
C.SARAVANAN, J.

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