



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

W.A.No.2818 of 2022

Parvathi Ammal (deceased)

1. S.Ramasamy
S/o.Late A.Seetharaman

Vijayaraghavan (deceased)

2. S.Sethuraman
S/o.Late A.Seetharaman
3. S.Gopalakrishnan
S/o. Late A.Seetharaman
4. S.Chakravarthy
S/o.Late A.Seetharaman
5. S.Raghuraman
S/o.Late A.Seetharaman
6. Ranganayaki
D/o.Late A.Seetharaman
7. Lakshmi Devi
D/o.Late A.Seetharaman

Page Nos.1/6



8. Jothi
D/o.Late A.Seetharaman

9. Revathi
D/o.Late A.Seetharaman

10. Karnan
S/o. Late Vijayaraghavan

11. Gajendran
S/o. Late Vijayaraghavan

12. Siva Annapoorani
W/o.Saravanan

... Appellants

Accepted the cause title vide order dated 19.12.2022
made in C.M.P.No.21567 of 2022
in WA.SR.No.133554 of 2022.

Vs.

1. The Land Acquisition Officer cum
Special Tahsildar
Ayyamperumapatty Neighbourhood
Housing Board Scheme (Originally Namakkal)
Office of Tamil Nadu Housing Board
Salem - 8
Salem District.

2. The Executive Engineer and Administrative Officer
Salem Housing Unit
Salem District.

... Respondents



Prayer:

Writ Appeal filed under Clause 15 of Letters Patent praying to set aside the order dated 12.07.2022 passed in W.P.No.1827 of 2017.

For Appellant : Mr.K.Selvaraj
For Respondents : Mr.Vadivelu Deenadayalan

J U D G M E N T

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

The present intra-Court appeal has been instituted by writ petitioner challenging an order dated 12.07.2022 made in W.P.No.1827 of 2017.

2. The writ petition has been instituted seeking declaration to declare the land acquisition proceedings has lapsed in view of Section 24(2) of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 (Central Act No.30/2013)" ["Act"].

3. It would be sufficient to consider whether twin conditions as contemplated under Section 24(2) of the Act has been complied with or not. The legal position in this regard has been settled by the Constitution Bench of Hon'ble Supreme Court of India in *Indore Development*



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Authority Vs. Manoharlal and Others reported in ***(2020) 8 SCC 129***.

4. In the present case, Section 4(1) notification under the Old Land Acquisition Act was issued on 08.12.1982 and Section 6 declaration was notified on 28.03.1984 and an award was passed on 17.09.1986 and the compensation amount has been deposited in the Sub-Court, Salem in L.A.O.P.No.22 of 1987. Subsequently, physical possession was taken over by the Land Acquisition Officer and handed over to the Tamil Nadu Housing Board, requisitioning body for development of housing scheme. In the present case, since compensation was deposited and physical possession was also taken by the Land Acquisition Officer and handed over to the Tamil Nadu Housing Board on 12.11.1986, the appellant is not entitled to avail the benefit of declaration under Section 24(2) of the New Land Acquisition Act, 2013. Thus, this Court do not find any infirmity in respect of the impugned order. Accordingly, Writ Appeal stands dismissed. There shall be no order as to costs.

[S.M.S., J.] [M.S.Q, J.]
16.09.2025

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Speaking

Index : Yes

Neutral Citation : Yes / No

Page Nos.4/6



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To

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Ayyamperumapatty Neighbourhood
Housing Board Scheme (Originally Namakkal)
Office of Tamil Nadu Housing Board
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Salem District.
2. The Executive Engineer and Administrative Officer
Salem Housing Unit
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S.M.SUBRAMANIAM, J.
and
MOHAMMED SHAFFIQ, J.

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