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WP No.36006 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No.36006 of 2025

1.K.C Srinivasan
S/o.Chandrasekaran,
22/1C, Railnagar,
Old Suramangalam, Salem 636 005.

2.R.Nalina,
W/o.Kahendhira Raja Sekar,
13-46-3, Thiruapthi Rural,
Sithur, Perur, Andra Pradesh.

Petitioner(s)

Vs

1.The District,
Registrar, Salem, Salem District.

2.The Sub Registrar,
Sub-Registrar Office, Omalur Taluk,
Salem District.

3.The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex, E And C Market Road,
Koyambedu, Chennai - 600 107.



4.The Executive Engineer And
Administrative Officer,
Tamil Nadu Housing Board,
Salem Housing Unit, Suramangalam,
Salem - 636 005.

(R3, R4 Impleaded Vide Order Dated
08.10.2025 Made in WMP.42874/2025 In
WP.36006/2025 By KRJ)

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing the 2nd respondent to consider the petitioners representation dated 12.08.2025, thereby removing the encumbrance entry relating to the acquisition proceedings in respect of the petitioners' land in survey No. 69/2A Kottagoundampatty Village, Omalur Taluk, Salem District in the light of the order of this Court dated 18.11.2024 in W.P.No.33165/2024.

For Petitioner(s): Mr.Raghul R

For Respondent(s): Mr.P.Harish
Government Advocate
for R1 & R2
Mr.J.Pachiyappan
Standing Counsel for R3 & R4

**ORDER**

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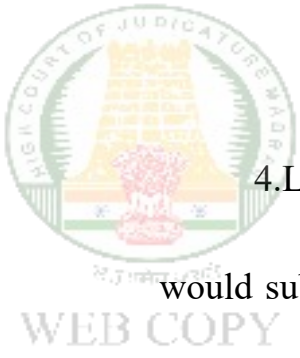
This writ petition has been filed by the petitioner seeking to direct the 2nd respondent to consider the petitioners representation dated 12.08.2025, thereby he sought to remove the encumbrance entry relating to the acquisition proceedings in respect of the petitioners' land in Survey No. 69/2A Kottagoundampatty Village, Omalur Taluk, Salem District in the light of the order of this Court dated 18.11.2024 in W.P.No.33165/2024.

2.Learned counsel for the petitioner would submit that the respondents 3 & 4/Housing Board issued a notification dated 29.03.2000, for acquisition of vast extent of lands in Kottagoundampatty Village, Omalur including the petitioners' land comprised in Survey No.69/2A for the purpose of construction of houses. Thereafter, though the Special Tahsildar (Land Acquisition) had passed an award dated 13.05.2003, the physical possession of the subject property has not been taken over. As per Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and



Resettlement Act, 2013, the land acquisition proceedings initiated under the old Land Acquisition Act, 1894 are deemed to have lapsed if an award was made five or more years prior to the 2013 Act, but the physical possession of the land has not been taken or compensation has not been paid. Therefore, the petitioner filed a W.P.No.33165 of 2024 seeking to declare that the land acquisition proceeding initiated pursuant to the Section 4(1) Notification vide G.O.Ms.No.147, Housing and Urban Development (LA.IV(2)) dated 29.03.2000 as lapsed. This Court vide order dated 18.11.2024 allowed the said writ petition holding that the acquisition proceedings in respect of the petitioner's land have been lapsed.

3.He would further submit that the petitioner made a representation dated 12.08.2025 to the 2nd respondent enclosing the copy of the order made in W.P.No.33165 of 2024 dated 18.11.2024 and requested to remove the encumbrance entry made regarding the acquisition proceedings. However, till date no steps have been taken by the 2nd respondent to remove the acquisition entries in their records. Hence, the present writ petition has been filed.



4.Learned Government Advocate appearing for the respondents 1 & 2 would submit that the representation of the petitioner dated 12.08.2025 will be considered if the order of this Court referred by the learned counsel for the petitioner is enclosed along with the representation and he request four weeks time to dispose of the petitioners' representation.

5.Heard the learned counsel for the petitioner; the learned Government Advocate appearing for the respondents 1 & 2 and learned Standing Counsel appearing for the respondents 3 & 4.

6.Considering the submissions made by either parties, it is evident that since the land acquisition proceedings initiated by the respondents 3 & 4 vide notification dated 29.03.2000 in respect of the petitioners' land has been declared as lapsed, the entries made in the revenue records with regard to the acquisition proceedings has to be neutralized. In this regard, the petitioner has made a representation to the petitioner which is pending for consideration before the 2nd respondent.



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7. In view of the above, this Court directs the 2nd respondent to consider the representation of the petitioner dated 12.08.2025 taking note of the order of this Court made in W.P.No.33165 of 2024 dated 18.11.2024 and pass suitable orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

8. With the above directions, this writ petition is disposed of. No costs.

06-11-2025

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rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1.The District Registrar,
Salem, Salem District.

2.The Sub Registrar,
Sub Registrar Office, Omalur Taluk,
Salem.

3.The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex, E And C Market
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