



W.P.No.27444 of 2018
and W.M.P.No.31952 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.27444 of 2018
and W.M.P.No.31952 of 2018

1. Annaiah
2. Venkatesalu
3. Krishnappa
4. Laskhmamma
5. Venkataswamy
6. P. Dhanushkoti

...

Petitioners

Vs.

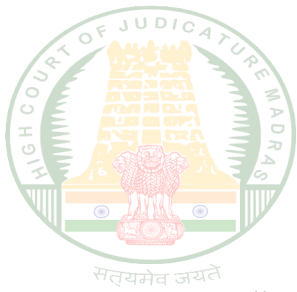
1. State of Tamil Nadu,
Rep. by its Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai - 600 009.

2. The Special Thasildar,
Land Acquisition,
Housing Scheme,
Hosur, Krishnagiri District - 635 109.

3. The Chairman,
Tamil Nadu Housing Board,
Nandanam, Chennai - 600 035. ...

Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of



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India praying to issue Writ of Declaration, to declare that the land acquisition proceedings in respect of the land comprised in Survey Nos.791/1, 792, 789, 800/2, 791/3A, 791/4, 788 and 799/1 measuring a total extent of 8.12 acres of (Wet and Dry) lands situate in Chennathur Village, Hosur Taluk, Krishnagiri District, belonging to the petitioners is having lapsed as per Section 24 (2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013).

For Petitioners : M/s.S.Udayakumar

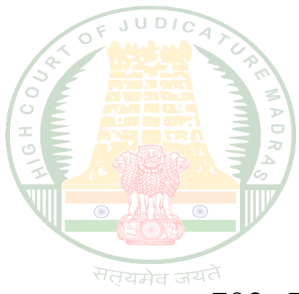
For Respondents : Mr.G.Velu
Additional Government Advocate - R1 and R2

Mr.S.Ramachandran
Standing Counsel- R3

ORDER

This Writ Petition has been filed challenging the acquisition proceedings in respect of the land comprised in Survey Nos.791/1, 792, 789, 800/2, 791/3A, 791/4, 788 and 799/1 measuring to an extent of 8.12 acres, situated in Chennathur Village, Hosur Taluk, Krishnagiri District, as lapsed as per Section 24 (2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013) [hereinafter referred to as “New Act”].

2. The petitioners owned lands comprised in Survey Nos.791/1,

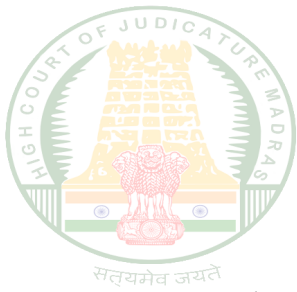


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792, 789, 800/2, 791/3A, 791/4, 788 and 799/1 measuring to an extent of 8.12 acres, situated in Chennathur Village, Hosur Taluk, Krishnagiri District. The Government issued notification dated 17.07.1991 under Section 4(1) of the Land Acquisition Act, 1894 [hereinafter referred to as “Old Act”]. The petitioners raised objections under Section 5A of the Old Act. Thereafter, on 01.09.1992 Notification under Section 6 declaration was issued by the Government and on 28.08.1994, the second respondent passed an award bearing No.21/1994. However, it was challenged and the same was set aside and the second respondent was directed to pass a fresh award. After passing the fresh award, according to the petitioners, no compensation amount was paid till today and possession of the subject property was also not taken over. Therefore, by invoking the provision under Section 24(2) of the New Act, this writ petition was filed by the petitioners.

3. On perusal of the counter filed by the third respondent and also the submission made by the learned Additional Government Advocate for the respondents 1 and 2 revealed that, the original award No.21/1994 was challenged in W.P.No.17080 of 1992. This Court, by



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order dated 30.11.2000, quashed the award and directed the second respondent to pass fresh award and accordingly, fresh award was passed *vide* Award No.1/2002 dated 29.11.2002. Thereafter, the award amount was duly deposited at Sub Treasury, Hosur. Subsequently, the said land was also taken possession and handed over to the third respondent and patta was also issued in favour of the third respondent under Patta No.309.

4. Now, the petitioners filed this writ petition by invoking provisions under Section 24(2) of the New Act. In order to invoke provisions under Section 24(2) of the New Act, the petitioners shall satisfy twin conditions as contemplated under Section 24(2) of the New Act. However, the petitioners failed to satisfy the twin conditions to attract the provisions under Section 24(2) of the New Act.

5. Section 24(2) of the New Act contemplates pending proceedings and not the concluded ones in which possession has been taken and compensation has been paid or deposited. However, Section 24 does not provide an arm or tool to question the legality of proceedings, which have been undertaken under the Old Act and stood concluded



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before five years or more. It is only in cases where possession has not been taken, nor compensation is paid, that there is a lapse. In case possession has been taken, and compensation has not been deposited with respect to majority of landholdings, the beneficial provision of the statute provides that all beneficiaries shall be paid compensation as admissible under the New Act.

6. This issue has already dealt with by the Hon'ble Supreme Court in the case of *Indore Development Authority Vs. Manoharlal* reported in *(2020) 8 SCC 129*. Accordingly, the provision under Section 24(2) of the New Act does not give rise to new cause of action to question the legality of concluded proceedings of land acquisition. It applies to a proceeding pending on the date of enforcement of the New Act i.e. 01.01.2014. It does not revive stale and time-barred claims and does not reopen concluded proceedings nor allow landowners to question the legality of mode of taking possession to reopen proceedings or mode of deposit of compensation in the treasury instead of court to invalidate acquisition.



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7. Therefore, this Court finds no merits in this writ petition and the same is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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G.K.ILANTHIRAIYAN, J.

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