



W.P(MD)Nos.1777 to 1779 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2025

CORAM :

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)Nos.1777, 1778 and 1779 of 2019

S.Kathiresan

...Petitioner in
WP(MD)No.
1777 of 2019

S.Ganesan

...Petitioner in
WP(MD)No.
1778 of 2019

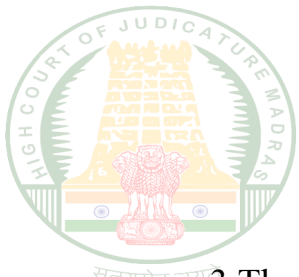
G.Rathinam

...Petitioner in
WP(MD)No.
1779 of 2019

Vs.

1.The Government of Tamil Nadu,
rep. by its Secretary to Government,
Housing & Urban Development Department,
Fort. St. George, Chennai-600 009.

2.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.



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WEB COPY 3.The Executive Engineer and
Administrative Officer,
Ramanathapuram Housing Unit (TNHB),
Ramanathapuram.

... Respondents
in all the
petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying for issuance of Writ of Declaration, declaring that the land acquisition proceedings initiated under the Land Acquisition Act 1894 in respect of the land of an extent of 5.35 cents (plot No's.9 & 23), 5.75 cents (plot No's 10 & 22) and 8 cents (plot No's 16 & 17) comprised in Survey Nos.342/3, 342/3 and 332/5 situated at Pattinamkathan Village, Ramanathapuram, Ramanathapuram District, belonging to the petitioner, as lapsed in view of the Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30/2013) and to pay compensation as per new Act.

(in all the petitions)

For Petitioner : Mr.K.Vadivelu

For Respondents : Mr.A.Baskaran
Additional Government Pleader for R1 & R2

Mr.S.Sumesh
Standing Counsel for R3

COMMON ORDER

These Writ Petitions are filed seeking a declaration that Land



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Acquisition Proceedings initiated under the Land Acquisition Act, 1894 in respect of the petitioners' land in Survey Nos.342/3, 342/3 and 332/5 respectively in Pattinamkathan Village, Ramanathapuram, Ramanathapuram District, deemed to have lapsed in view of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and to pay compensation as per new Act.

2. Heard the arguments of Mr.K.Vadivelu, learned counsel appearing for the petitioners, Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents 1 and 2 and Mr.S.Sumesh, learned Standing Counsel appearing for the third respondent.

3. The learned counsel appearing for the petitioners made an endorsement in the Court bundle that he is not pressing the first limb of his prayer seeking declaration that the Land Acquisition Proceedings got lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,



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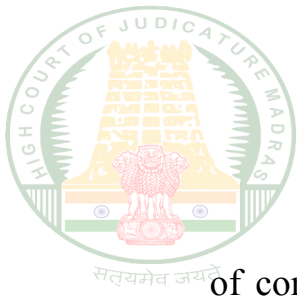
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2013. The said submission made by the learned counsel appearing for the petitioners is recorded.

4. The learned counsel appearing for the petitioners advanced arguments only on the second limb of prayer seeking direction to the respondents to pay compensation as per new Act.

5. It is seen from the averment found in the writ petitions that award was passed as early as on 03.04.1997 prior to coming into force of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. There is no averment in the writ affidavit that compensation amount has not been paid to majority of land owners so as to attract provisio to Section 24 of New Act. Therefore, the prayer sought for by the petitioners seeking compensation as per new Act cannot be sustained. Accordingly, this Court is not inclined to entertain the second limb of the prayer in these writ petitions.

6. The learned counsel appearing for the petitioners sought for liberty to seek reference under Section 18 of the old Act for enhancement



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of compensation. In these writ petitions, there is no prayer for seeking reference under Section 18 of the old Act. In these circumstances, this Court is not inclined to grant any liberty to the petitioners. However, in view of Section 24(1)(b) of New Act, if the petitioners submit any application for reference under old Act, the same shall be considered on its own merits subject to law of limitation. Therefore, these Writ Petitions stand dismissed accordingly. No costs.

15.07.2025

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Housing & Urban Development Department,
Fort. St. George, Chennai-600 009.
- 2.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.



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S.SOUNTHAR, J.

csn

Common Order made in
W.P.(MD)Nos.1777, 1778 and 1779 of 2019

Dated : 15.07.2025