



WEB COPY

WP No. 10977 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 10977 of 2026

and WMP Nos.11908,11909 and 11910 of 2026

1. C.Mohan
S/o.Chinnasamy Gounder,
No.251, Bajanai Koil Street,
Melarasampattu Village,
Vellore Taluk, Vellore District.
2. T.Dasarathan
S/o.Thandavarayan,
No.1/78A, Muthukrishna Mudali Street,
Melarasampattu Village,
Vellore Taluk, Vellore District.
3. M.Selvam
S/o.Murugesan,
No.203, Muruga Gounder Street,
Melarasampattu Village,
Vellore Taluk, Vellore District.

..Petitioner(s)

Vs

1. The Government of Tamil Nadu,
Rep. By Secretary to Government,
Water Resources Department (Irrigation)
Fort St. George, Chennai-600 009
2. The Collector
Office of Collectorate Vellore,
Sathuvachari, Vellore District-632 009



3. The Revenue Divisional Officer,
Office of Vellore District Collectorate office,
Sathuvachari,
Vellore-632 009
4. The Chief Engineer
Office of the Assistant Executive Engineer,
Chennai Region, Chepauk Railway St, PWD
Estate, Chepauk,
Triplicane, Chennai-600 005.
5. The Superintending Engineer,
Upper Palar Bain Circle,
Vellore Vellore District-632 006

..Respondent(s)

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of certiorari to call for the records on the file of 1st respondent in G.O. (Ms) No.20 dated 18.02.2026 and relating to the same consequential Proceedings of the District Collector, Vellore in Na. Ka. No.G2/ 33768/ 2005 dated 28.02.2026 and quash the same as illegally, arbitrary and contrary to law

For Petitioner(s): Mr.V.Ashokkumar

For Respondent(s): Mr.D.Ravichander,SGP

ORDER

This writ petition has been filed challenging the impugned G.O Ms.No.20 dated 18.02.2026 and the consequential proceedings of the District Collector dated 28.02.2026.



2. As seen from the impugned proceeding, the same has not been addressed personally to the petitioners. The Government Order in GO Ms.No.20 dated 18.02.2026 pertains to fund allocation for the project, which may involve acquisition of lands, including that of the petitioners. The consequential proceeding also pertain to the same and is not personally addressed to the petitioners.

3. During the course of his submissions, the learned counsel for the petitioners submitted that, without following the due procedure established under law, the respondents have called for a tender for the project, thereby indirectly affecting the petitioners lands. He further submitted that, till date, no notice has been issued by the respondents to the petitioners under the provisions of the The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR) (hereinafter referred to as the “Act”). The petitioners apprehend that without issuing any such notice, the respondents are now attempting to enter upon and level the lands belonging to the petitioners without following the due procedure established under law.

4. On the other hand, the learned Special Government Pleader appearing for the respondents submitted that the writ petition is premature and not maintainable, as no cause of action has arisen at this stage. The learned



Special Government Pleader further submitted that the petitioners have challenged the impugned proceedings, which is an administrative sanction granted by the Government for fund allocation for the proposed project. As seen from the impugned proceedings and as observed earlier, it is not addressed personally to the petitioner. The impugned proceedings pertains to administrative sanction granted by the Government for fund allocation for the proposed project, which require acquisition of lands. The petitioners claim that their lands also fall under the proposed acquisition.

5. As rightly contended by the learned Special Government Pleader appearing for the respondents, the petitioners have approached this Court prematurely by challenging the impugned GO, which is only an administrative sanction granted by the Government, for the proposed project.

6. However, on the other hand, the learned counsel for the petitioners drew the attention of this Court to the subsequent development, particularly the calling for tender in respect of the proposed project, which according to the petitioners covers the petitioners land as well, in which event, it will be detrimental to the petitioners interest and will not enable the petitioners to challenge the land acquisition in the near future when the respondent issues notice to the petitioners as per the provisions of the Act. He submitted that once



the buildings are erected and the project commences, it will be difficult for the petitioner to challenge the land acquisition at a later stage.

WEB COPY

7. Since the cause of action has not arisen for the petitioners to challenge the land acquisition, as no notice has been received by him under the Act, the question of granting the relief in this writ petition does not arise. If at all, the petitioners are aggrieved by the calling for tender by the respondents pertaining to the lands which includes the petitioners lands as well, their remedy is to file a separate writ petition or other legal proceedings challenging the tender in accordance with law, but not by challenging an administrative sanction which has been passed under the impugned Government Order dated 18.02.2026 and the consequential proceedings dated 28.02.2026.

8. Necessarily, as a State, the respondents are duty bound to follow the due procedure established under law for the purpose of acquiring lands for the specific project. In view of the above, this writ petition is disposed of as premature. However, liberty is granted to the petitioners to file a fresh writ petition at the appropriate stage in case, the petitioners lands are being encroached upon by the respondents without following the due procedure established under law. The respondents shall necessarily follow the due procedure established under law for acquiring the petitioners lands, which are



the subject matter of this writ petition. No costs. Consequently, the connected miscellaneous petitions are closed.

WEB COPY

24-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RKA



To

1. The Government of Tamil Nadu,
Rep. By Secretary to Government,
Water Resources Department (Irrigation)
Fort St. George, Chennai-600 009
2. The Collector
Office of Collectorate Vellore,
Sathuvachari, Vellore District-632 009
3. The Revenue Divisional Officer,
Office of Vellore District Collectorate office,
Sathuvachari,
Vellore-632 009
4. The Chief Engineer
Office of the Assistant Executive Engineer,
Chennai Region, Chepauk Railway St, PWD
Estate, Chepauk,
Triplicane, Chennai-600 005.
5. The Superintending Engineer,
Upper Palar Bain Circle,
Vellore Vellore District-632 006



WEB COPY

WP No. 10977 of 2



ABDUL QUDDHOSE, J.

RKA

WP No. 10977 of 2026

24-03-2026