



W.P. No. 7478 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2026

CORAM

THE HON'BLE Mr. JUSTICE V.LAKSHMINARAYANAN

W.P. No. 7478 of 2016

and

W.M.P. Nos. 6693, 6694 and 25981 of 2016

K.Bhuvaneswari

...Petitioner

Vs.

1. The Government of Tamilnadu,
rep. by its Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai – 600 009.
2. The Land Acquisition Officer and
The Special Tahsildar,
Land Acquisition VII Unit II,
Tamilnadu Housing Board Scheme,
Arignar Anna Shopping Complex,
VII Avenue, Thirumangalam,
Anna Nagar, Chennai – 600 101.
3. The Chairman,
Tamil Nadu Housing Board,
Nandanam, Chennai – 600 035.
4. The Director of Town and Country Planning,
Annasalai,
Chennai – 600 002.
5. The Asst. Director of Town and Country Planning,
Chengalpet, Kanchipuram District.



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6. The President,
Alapakkam Village,
Chengalpet, Kanchipuram District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the orders of approval in No. 39/2015 in proceedings No.Na.Ka.No.12/2015 se ma 3 dated 24-03-2015 by the 5th respondent and quash the same as far as the petitioner's land is concerned in Survey No.67 measuring an extent of 0.72 Cents in Survey No.68/1 and 68/2 measuring an extent of 0.69 Cents totaling to 1 Acres 41 Cents situate in Alapakkam Village, Chengalpattu Taluk, Kancheepuram District.

For Petitioner : Mr.V.R.Kamalanathan

For Respondent : Mr.M.Shahjahan,
Special Government Pleader
(for R1, R2 & R4 to R6)

Mr.A.M.Ravindranath Jayapal (for R3)

ORDER

Heard Mr.V.R.Kamalanathan for the petitioner, Mr.M.Shahjahan, learned Special Government Pleader for the first, second and fourth to sixth respondents and Mr.A.M.Ravindranath Jeyapal for the third respondent.

2. The following facts are not in dispute:

The petitioner was running a modern rice mill in the property situated at Survey Nos. 31/4B, 31/4A1, 31/7, 31/4A2, 32, 67, 68/1 and 68/2 of Alapakkam



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Village, Chengalpattu Taluk, Kancheepuram District. The Government of Tamil Nadu issued a notification in exercise of its power under the Land Acquisition Act, 1894, acquiring an extent of 72 cents in Survey No. 67 and 69 cents in Survey Nos. 68/1 and 68/2. The acquisition so made on 28.08.1992. The petitioner filed W.P. No. 9699 of 1991 challenging the formation of a new housing scheme.

3. This Court, after recording the statement of the learned counsel appearing for the Housing Board, disposed the writ petition permitting the petitioner to make the representation to the Government of Tamil Nadu and called upon the said authority to pass an order on the basis of the letter of the Housing Board dated 04.10.1989. This representation came to be rejected by the Housing Board by an order dated 07.09.2001 holding that the request for deletion of Survey Nos. 67, 68/1 and 68/2 cannot be acceded to as the same is required for formation of a Housing Scheme.

4. Thereafter, the petitioner invoked Section 48-B of the Land Acquisition Act of 1894 and sought a direction for re-conveyance of the property. Representation to that effect was made on 11.09.2006. The same was not disposed. Hence, another writ petition in W.P. No. 46677 of 2006 came to be filed. This Court directed the representation dated 11.09.2006 to be disposed of.



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5. By an order dated 21.05.2009, the State of Tamil Nadu, Housing and Urban Development Department, Secretariat, Chennai – 600 009 rejected the representation holding that the lands are essential for the purpose of implementing the Housing Board's Scheme.

6. Another writ petition was filed challenging this order in W.P. No. 15422 of 2009. In the meantime, the Land Acquisition Act itself came to be repealed and replaced by the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The petitioner claiming the benefit of Section 24(2) filed a writ petition in W.P. No. 3560 of 2016. That writ petition came to be dismissed by this Court on 22.09.2025.

7. The present writ petition arises on account of the fact that the Housing Board was taking steps to get approval of a layout over several properties including the property, which the petitioner claims, she is the owner thereof. This Court entertained the writ petition, and granted an interim order.

8. When the matter came up for disposal, Mr.Ravindranath Jeyapal brought to my attention that the order passed by this Court in W.P. No. 3560 of 2016 and urged that all the proceedings under the Land Acquisition Act has



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been concluded and as on today, there is no impediment for the Housing Board to develop the property into a layout.

9. Mr.V.R.Kamalanathan urges that the order, which is relied upon by Mr.Ravindranath Jeyapal, has not attained finality. He states it is proposed to file a writ appeal against the said order.

10. I have considered the submissions of both sides. I have gone through the records.

11. As on today, an award has been passed, a request for re-conveyance has been rejected, an attempt to invoke Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has also been rebuffed. Hence, there is no impediment for the Housing Board to implement the Scheme that it has proposed over the property, which is the subject matter of this writ petition.

12. In the event, the proposed writ appeal preferred against the order dated 23.09.2025 is allowed, obviously, the lands will go out of the hands of the Housing Board, and would re-vest with the original owner. In such an eventuality, the Housing Board cannot develop the property. As long as the



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acquisition proceedings stand, the relief sought in this writ petition cannot be granted.

13. With the above observation, this writ petition is dismissed. No costs.

Consequently, the connected miscellaneous petitions are closed.

17.02.2026

Index : Yes/No

Internet: Yest/No

Speaking or Non-speaking order

Maya



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V.LAKSHMINARAYANAN, J.

Maya

To

1. The Secretary to Government of Tamilnadu,
Housing and Urban Development Department,
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Chennai – 600 009.
2. The Land Acquisition Officer and
The Special Tahsildar,
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