



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 19813 of 2024
AND WMP NO. 21702 OF 2024**

1. R.Govindan
S/o.C.Rakkianna Gounder,
Kottagoundam Patti Village, Omalur
Taluk, Salem District.

2.G.Manialagan
S/o.R.Govindan, Kottagoundam Patti
Village, Omalur Taluk, Salem District.

Petitioner(s)

Vs

1. The Secretary To Government
Housing And Urban Development Department,
Fort St. George, Chennai 600009.

2.The Special Tahsildar (land Acquisition)
Salem Neighbourhood Scheme,
Salem 8.

3.The Chairman And Managing Director
Tamil Nadu Housing Board, Nandanam,
Chennai 600035.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, Directing the 1st respondent to de-notify the land in survey No. 84/4A1A1A1 an extent of 42 cents at Kottagoundampatti Village, Omalur Taluk, in pursuant to G.O.Ms.No. 879 dated 19.06.1991 by considering the petitioners representation dated 19.10.2023.



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For Petitioner(s): Mr.M.Elango

For Respondent(s): Mr.T.K.Saravanan, AGP

ORDER

This writ petition has been filed to direct the 1st respondent to de-notify the land in survey No. 84/4A1A1A1 an extent of 42 cents at Kottagoundampatti Village, Omalur Taluk, in pursuant to G.O.Ms.No. 879 dated 19.06.1991 by considering the petitioners representation dated 19.10.2023.

2. The learned counsel for the petitioner would submit that in this case, the petitioner's land was acquired by the respondents by virtue of GO(Ms)No. 879 dated 19.06.1991. However, the said land was not utilized till date. Therefore, an application was made by the petitioner on 19.10.2023 to de-notify and return the said land to the petitioner. However, the same was not considered by the respondents till date. Hence, this petition.

3. In reply, the learned counsel for the respondent would submit that in this case, initially there was a proposal to acquire the land to an extent of 157.95 Acre. In this regard, a notification was also issued. However, they acquired only to an extent of 91.44 Acre. Subsequently, in the year 1994, an extent of 64.80 Acres of land was handed over to the Tamil Nadu Housing Board, out of which,



32 to 36 Acres of land was utilized for the purpose of construction of 410 houses and the remaining portion of land was left vacant. Hence, he would submit that the petitioner's application will be considered in accordance with law.

4. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

5. In the case on hand, initially, a notification was issued by the respondents with a proposal to acquire the land to an extent of 157.95 Acre. However, the acquisition was made only to an extent of 91.44 Acre. Thereafter, in the year 1994, an extent of 64.80 Acres of land was handed over to the Tamil Nadu Housing Board, out of which, 32 to 36 Acres of land was utilised, wherein 410 houses were constructed and the remaining portion of 30 Acres of land was kept vacant for a period of 30 years. Under these circumstances, the petitioner made an application to de-notify the petitioner's land and return the same to the petitioner.

6. Normally, if any land is acquired for public purpose and remained unutilised for such a long period, it is the bounded duty of the respondent to return the same to the concerned owners, based on the representation filed by them. In this case, the land was not utilised for nearly a period of 3 decades. In



spite of the representation filed by the petitioner, the respondents had not returned the land till date.

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7. In view of the above, the respondents are directed to de-notify the subject land and return the same to the petitioner, forthwith, in accordance with law, if the said land is not utilised for public purpose till date.

8. With the above directions, this writ petition is disposed of. No cost. Consequently, the connected miscellaneous petition is also closed.

02-04-2026

nsa

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

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