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WP Nos.795 & 9721 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

**WP Nos 795 & 9721 of 2017
and WMP Nos. 35003, 831, 10701 & 10702 of 2017**

WP.No.795 of 2017

C.V.Maathesh

..Petitioner(s)

Vs.

1. Government of Tamil Nadu,
Rep. By its Principal Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai-600 009.
2. The Chairman and Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai-600035.
3. The Special Tahsildar,(Land Acquisition)
Housing Scheme, Unit-II, Coimbatore-18.

..Respondent(s)

WP.No.9721 of 2017

C.Maathesh

..Petitioner(s)

Vs

1. The Chairman and Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai-600 035.



2. The Special Tahsildar(Land Acquisition),
Housing Scheme, Unit II, Coimbatore.
3. The Executive Officer &Administrative Officer,
Coimbatore Housing Unit, Tatabad,
Coimbatore-12.
4. The Tahsildar, Coimbatore North Taluk,
Coimbatore, Coimbatore District.

..Respondent(s)

WP No. 795 of 2017

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of declaration, declaring that the entire land acquisition proceedings initiated under the Land Acquisition Act, 1894, in respect of the lands belonging to the petitioner comprised in lands comprised in S.Nos.151/1C (1.21 Acres), 151/1B (0.09 Acres), 151/1D(1.00 Acres), at No.13, Vilankurichi Village, Coimbatore North Taluk, Coimbatore District, as lapsed in view of section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

WP No. 9721 of 2017

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of certiorarified mandamus, to call for the records relating to the impugned order of the 4th respondent in Na.Ka.16717/2015/A1 dated 29.12.2016 and quash the same.

For Petitioner(s): Mr.N.Surya Senthil in both petitions

For Respondent(s): Mr.T.K.Saravanan
Additional Government Pleader for R1 & R3
in WPNo.795 of 2017 and
for R2 to R4 in W.P.No.9721 of 2017



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Mr.V.Gunasekar
Standing Counsel for R2 in WP.No.795 of 2017
and for R1 in WP.No.9721 of 2017

Common Order

While the writ Petition in W.P.No.795 of 2017 has been filed seeking issuance of writ of declaration, declaring that the entire land acquisition proceedings initiated under the Land Acquisition Act, 1894, in respect of the lands belonging to the petitioner comprised in lands comprised in S.Nos.151/1C (1.21 Acres), 151/1B (0.09 Acres), 151/1D(1.00 Acres), at No.13, Vilankurichi Village, Coimbatore North Taluk, Coimbatore District, as lapsed in view of section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, W.P.No.9721 of 2017 has been filed challenging the impugned order dated 29.12.2016.

2. The learned counsel appearing for the petitioner would submit that in the present case without providing any notice to the petitioner and payment of any compensation, the impugned order dated 29.12.2016 was passed to mutate the revenue records in respect of the subject property in the name of the Housing Board, though the subject land is still with the petitioner. He would further submit that since the compensation was not paid and the possession was



not taken over, the acquisition proceedings initiated in respect of the subject land is liable to be declared as lapsed in view of section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (herein after referred to as the Act).

3. Per contra, the learned counsel for the respondents would submit that in the present case the petitioner is a subsequent purchaser of the land acquisition. At the time of acquisition, notices have been issued to the petitioner's vendor and award amount has also been deposited in the Bank Account of the Vendor therefore, he would submit that the question of application of Section 24(2) would not arise.

4. Heard the learned counsel appearing for the petitioner as well as the respondents and also perused the material available on record.

5. As rightly pointed out, in terms of Section 24(2) of the Act, if the possession is not taken over or the compensation is not paid within the prescribed time limit, the acquisition proceedings got lapsed. In the present case, the possession of the land is still with the petitioner but, on the other hand, the compensation has already been paid for the acquired lands to the petitioner's vendor.



6. Such being the case, the question of application of Section 24(2) of the Act would not arise therefore, this Writ Petition is devoid of merits. However, the petitioner, being a subsequent purchaser, is granted liberty to make an application for enhancement of compensation.

7. These Writ Petitions are disposed of with the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

27-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. The Chairman and Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam, Chennai-35.
2. The Special Tahsildar(Land Acquisition),
Housing Scheme, Unit II, Coimbatore.
3. The Executive Officer &Administrative officer,
Coimbatore Housing Unit, Tatabad,
Coimbatore-12.
4. The Tahsildar, Coimbatore North Taluk,
Coimbatore, Coimbatore District.
5. The Principal Secretary,
Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George, Chennai-600009.
6. The Special Tahsildar,(Land Acquisition)
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KRISHNAN RAMASAMY J.

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