



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 38901 of 2024

AND

WMP NO. 42132 OF 2024

S.Ravikumar,
S/o.Late.S.Subramani,
No.3/26, Bye Pass Road,
Kandampatti Village, Salem City,
Salem Taluk And District.

Petitioner(s)

Vs

1.The Secretary To Government,
Housing And Urban Development
Department, Fort St. George
Secretariat, Chennai-600 009.

2.Special Tahsildar (LA),
Neighbourhood Scheme, Salem-8.

3.The Executive Engineer,
Tamil Nadu Housing Board,
Salem Housing Unit,
Iyyanthirumalaigai, Salem-8.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing the 1st respondent to publish a withdrawal notification in the light of G.O.Ms. No.179 (Housing and Urban Development (LA-2(2)) Department dated 04.10.2024 in respect of petitioners land in survey No.42/3A 1B an extent of 54 cents, at Kandampatti



West Village, Salem Taluk and District in pursuant to 4(1) notification in G.O.Ms. No.963 H and UD Department dated 16.11.1984.

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For Petitioner: Mr.M.Elango

For Respondent(s): Mr.T.K.Saravanan
Additional Government Pleader
For R1 And R2
Mr.J.Pachiappan
Standing Counsel For R3

ORDER

This writ petition has been filed seeking to direct the 1st respondent to publish a withdrawal notification in the light of G.O.Ms. No.179 (Housing and Urban Development (LA-2(2)) Department dated 04.10.2024 in respect of petitioners land in survey No.42/3A 1B an extent of 54 cents, at Kandampatti West Village, Salem Taluk and District in pursuant to 4(1) notification in G.O.Ms. No.963 H and UD Department dated 16.11.1984.

2.Learned counsel for the petitioner would submit that initially a notification under Section 4(1) of the Land Acquisition Act 16.11.1984 was issued to acquire the petitioner's land to an extent of 0.54 acres in Survey No.42/3A 1B at Kandampatti West Village, Salem Taluk. The petitioner's father challenged the said notification by way of writ petition and the same got dismissed. Aggrieved over the same, the petitioner's father filed a writ appeal



and later it was withdrawn with liberty to approach the respondents for reconveyance of the land. Since the petitioner did not get fruitful result, once again a writ petition in W.P.No.19332 of 2022 was filed before this Court and again the same was dismissed and the writ appeal preferred by the petitioner was also got dismissed. Therefore, the petitioner preferred Special Leave Petition in S.L.P (C) No.22969 of 2022 before the Hon'ble Supreme Court, which was also dismissed on 02.1.2023.

3.He would further submit that subsequently, the 1st respondent has passed notification in terms of G.O.Ms.No.179 dated 04.10.2024, thereby withdrawing the land acquisition proceeding to an extent of 1141.68 acres in Salem Region. Based on which, the petitioner made an application seeking to withdraw the acquisition proceedings to an extent of 54 cents in Survey No.42/3A 1B. Though the respondents reconveyed the adjacent land to an extent of 62 cents in Survey No.42/3A 2, the respondents 2 and 3 are insisting the petitioner to vacate his property. Hence, the present writ petition has been filed.

4.Learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the challenge by the petitioner against the notification under Section 4(1) of the Land Acquisition Act dated 16.11.1984 was dismissed and it attained finality at the level of the Hon'ble Supreme Court on 02.01.2023. Therefore, the question of once again filing the writ petition to consider the



petitioner's request for returning the land would not arise and hence, prayed for dismissal of this writ petition.

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5. Heard the learned counsel for the petitioner; learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Standing Counsel appearing for the 3rd respondent.

6. Considering the above submissions made by either parties and upon perusal of the records, this Court is of the view that though the challenge made against the notification issued under Section 4(1) of the Land Acquisition Act was dismissed and attained finality at the highest level of the Hon'ble Supreme Court on 02.01.2023, the 1st respondent has issued the notification in terms of G.O.Ms.No.179 dated 04.10.2024 for withdrawal of utilized 1141.68 acres of land in Salem Region, which is subsequent to the order of the Hon'ble Supreme Court. Further the land in S.No.42/3 2 to an extent of 62 cents, which is the adjoining land of petitioner's uncle has been reconveyed and it is also not in dispute that the petitioner's land is kept unutilized. Such being the case, the petitioner is also entitled for the same treatment for his property situated at S.No.42/3A 1B, which has been followed for the adjacent land in S.No.42/3A 2.

7. Thus, taking into consideration of the order passed by the Hon'ble Supreme Court in S.L.P (C). No.22969 of 2022 on 02.01.2023 and the



G.O.Ms.No.179 dated 04.10.2024, this Court directs the respondents to issue Government Order for withdrawal of acquisition proceedings to the petitioner's property situated at S.No.42/3A 1 B to an extent of 54 cents at Kandampatti West Village, Salem Taluk as has been done to the adjacent land in S.No.42/3A2 to an extent of 62 cents at Kandampatti West Village, Salem Taluk.

8.With the aforesaid direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

10-03-2026

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

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Secretariat, Chennai-600 009.

2.Special Tahsildar (LA),
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