



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.39234 of 2024

and

W.M.P. Nos.42496 of 2024 and 12472 of 2025

1. Nandhakumar
S/o.Gopu,
No.1/134, Eriyur, Sunjal Natham Village,
Pennagaram Taluk,
Dharmapuri District-636 810.
2. Muthaiyan
S/o.Murugan,
No.1/121, Eriyur, Sunjal Natham Village,
Pennagaram Taluk,
Dharmapuri District-636 810.
3. Jayavel,
S/o.Kumaravel,
No.1/115,eriyur, Sunjal Natham Village,
Pennagaram Taluk,
Dharmapuri District-636 810.

..Petitioner(s)

Vs

1. The Government of Tamilnadu,
Rep. by its Secretary and Commissioner,
Department of Higher Education,
Fort St.George, Chennai-600 009.
2. The Commissioner,
Department of Land Administration,
Chepauk, Chennai-5.
3. The Commissioner,
Hindu Religious and Charitable Endowments
Department, Nungambakkam,



Chennai-600 039.

4. The Joint Commissioner
Hindu Religious And Charitable Endowments
Department, Salem Salem District
5. The Collector,
Dharmapuri District, Dharmapuri.
6. The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.
7. The Executive Officer,
Hindu Religious and Charitable Endowment
Department, Dharmapuri, Dharmapuri District.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Certiorari calling for the records relating to the order passed by the 1st respondent in G.O.Ms.No.176, Higher Education (D1) department dated 03.10.2024 to acquire land in S.No.571/1,575,576,571/3 to the extent of 2.89.81 situated at Sunjal Natham Village, Eriyur, Pennagaram Taluk, Dharmapuri District quash the same.

For Petitioner(s): Mr.S.Doraisamy
for Mr.V.Elangovan

For Respondent(s): Mr.P.S.Raman
1, 2, 5 & 6 Advocate General
Assisted by Mr.Vadivelu Deenadayalan
Additional Government Pleader

For R3, 4 & 7 : Mr.N.R.R.Arun Natarajan
Special Government Pleader (HR & CE)

ORDER

The writ petition is filed challenging the Government Order passed by the 1st respondent in G.O.Ms.No.176, Higher Education (D1) Department dated



03.10.2024 which is issued to acquire the land in Survey Nos.571/1, 575, 576, 571/3 to an extent of 2.89.81 ares situated at Sunjal Natham Village, Eriyur, Pennagaram Taluk, Dharmapuri District.

2. The Government Order is challenged on very many grounds including contending that they are the right holders as per the Inam and that they cannot be divested of the land. It is further contended that the decision of the Executive Officer to lease out the land for the Government cannot also be done.

3. The writ petition was resisted by filing a counter affidavit. When the matter came up for hearing today, the learned Advocate General appearing on behalf of the respondents would submit that the impugned Government Order is nothing but an administrative sanction for acquisition of the land. Therefore, the petitioners cannot be aggrieved on the same, since the petitioners are also a party as per Section 17 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It was further stated that notice should be given to the petitioners also apart from the Executive Officer and that the averments of the Executive Officer as if the transaction were to be a lease is no longer correct as the Government has decided only to exercise its eminent domain and acquire the land for public purpose. Therefore, due notice will be issued to the Executive Officer as well as the petitioners.



4. In view of the said statement, merely because the Government passed G.O.Ms.No.176 dated 03.10.2024, which is nothing but an administrative sanction to go ahead, the same will not in any manner affect the rights of the petitioners which they otherwise have, including contesting the acquisition or claiming compensation in the manner known to law. Therefore, keeping open the rights of the petitioners and recording the submissions made, the petitioners will be given notice during the course of the land acquisition proceedings, this writ petition is disposed of.

5. Accordingly, this Writ Petition stands disposed of. Needless to mention, the interim order already granted by this Court stands vacated. No costs. Consequently, the connected miscellaneous petitions are closed.

20-02-2026

Neutral Citation: Yes/No

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To:

1. The Secretary and Commissioner,
Department of Higher Education,
Fort St.George, Chennai-600 009.
2. The Commissioner,
Department of Land Administration,
Chepauk, Chennai-5.
3. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai-600 039.
4. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Salem, Salem District.
5. The Collector,
Dharmapuri District, Dharmapuri.
6. The Revenue Divisional Officer
Dharmapuri, Dharmapuri District.
7. The Executive Officer,
Hindu Religious and Charitable Endowment Department,
Dharmapuri, Dharmapuri District.



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D.BHARATHA CHAKRAVARTHY J.

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