



W.A.No.14 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.14 of 2026
and C.M.P.No.186 of 2026

- 1.Chenrayan
- 2.Govindasamy
- 3.Chinnaraj

All residing at Madhepatti Village,
Sembadam, Krishnagiri District.

.. Appellants

Vs

- 1.The State of Tamil Nadu,
Rep. by Secretary to Government,
Social Welfare Department,
Fort St. George,
Chennai.

- 2.The Special Tahsildar,
Harijan Welfare,
Krishnagiri.

- 3.The District Collector,
Krishnagiri.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 17.09.2025 passed by the learned Single Judge in W.P.No.21499 of 2018.



W.A.No.14 of 2026

For Appellant(s) : Mrs.G.Selvi George
For Respondent(s) : Mr.M.Habeeb Rahman
Government Advocate

JUDGMENT

(Judgment of the Court was delivered
by the Hon'ble Chief Justice)

Challenge to the order passed by the learned Single Judge is mainly on the ground that the learned Single Judge did not agree to take into consideration that the possession of the land continued with the writ petitioners and even compensation was not paid. Without making further enquiry and directing the official respondents to produce relevant records in proof of the statement made in affidavit, the Court proceeded to record a finding that the benefit of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, would not enure to the petitioners.

2. The second limb of the submission made by the learned counsel for the appellants/writ petitioners is that the application seeking reconveyance of the land, assuming, without admitting, was made at the time when the Land Acquisition Act, 1894 was in force, wherein there was a mechanism for reconveyance of the land.



W.A.No.14 of 2026

WEB COPY

3. When the writ petition was filed before this Court in the year 2006, a direction was given to consider the representation, but the representation was not considered, rather it was rejected by the authority, whereas it was the State Government which was directed to consider the representation.

4. The learned Government Advocate for the State would submit that the writ petitioners are only seeking the benefit of the new provisions for getting back the land, which was acquired long back and suitable compensation was also deposited in the Court, as required under Section 30 of the Land Acquisition Act, 1894. He would submit that no rejoinder affidavit was filed refuting the specific statement in the counter filed by the official respondents that an amount of Rs.8,053/- was deposited in the Sub-Court, Krishnagiri, under Section 30 of the Land Acquisition Act, in L.A.O.P.No.138 of 1987.

5. He would further submit that after the possession was taken over, the revenue records were accordingly corrected, and except bald statement of being in possession, no documents have been submitted. After the order was passed by this Court on 10.01.2007 in

Page 3 of 6



W.A.No.14 of 2026

W.P.No.38353 of 2006, no representation was submitted for almost 11 years, and thereafter, a fresh representation was made, and writ petition was filed.

6. In view of the law laid down by the Hon'ble Supreme Court in the case of *Indore Development Authority Vs. Manoharlal* ((2020) 8 SCC 129), the writ petitioners could succeed only upon proof of the fact that neither possession was taken nor compensation was paid. The averments made in the affidavit of the official respondents show that they fairly disputed the position on both grounds. It has been stated that possession has been taken and revenue records have been corrected. The statement regarding correction of revenue records has not been disputed.

Furthermore, specific details with regard to the amount of compensation before the Sub-Court, where it was deposited, and the case number has also been clearly mentioned. But this has not been refuted by filing any rejoinder affidavit.

7. In any case, this Court is not inclined to exercise its discretion owing to delay and laches on the part of the petitioners, as even though an order was passed by this Court in an earlier round of

Page 4 of 6



W.A.No.14 of 2026

litigation to submit a representation within a period of two weeks, the petitioners remained indolent and did nothing for 11 years. That, by itself, without anything more, is a factor to disentitle the petitioners to any relief in exercise of writ jurisdiction. Therefore, the learned Single Judge committed no illegality in disposing of the case.

8. The Writ Appeal has no substance and the same is dismissed. There shall be no order as to costs. Consequently, the interim application is closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
02.02.2026

Index : Yes/No
Neutral Citation : Yes/No
sri/mka

To

1.The Secretary,
Government of Tamil Nadu,
Social Welfare Department,
Fort St. George,
Chennai.

2.The Special Tahsildar,
Harijan Welfare,
Krishnagiri.

3.The District Collector,
Krishnagiri.

Page 5 of 6



WEB COPY



W.A.No.14 of 2026

THE HON'BLE CHIEF JUSTICE
AND

G.ARUL MURUGAN, J.

(sri/mka)

W.A.No.14 of 2026

02.02.2026