



Rev.Aplw (MD) No.45 of 2026

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 25.03.2026

CORAM :

**THE HON'BLE MR.JUSTICE S.SOUNTHAR**

Rev.Aplw (MD) No.45 of 2026  
and W.M.P (MD).Nos.6411 and 6412 of 2026

N.Natarajan

.. Petitioner

**Versus**

1. The Government of Tamil Nadu,  
Rep. by the Secretary to the Government,  
Housing and Urban Development Department,  
Fort St. George,  
Chennai – 600 009.

2. The Managing Director,  
Tamil Nadu Housing Board Schemes,  
Nandanam,  
Chennai – 600 035.

.. Respondents

**Prayer :** Review Application filed under Order XLVII Rule 1 and 2 r/w  
Section 114 of the Code of Civil Procedure to review and recall the order,  
dated 09.07.2025 passed in W.P.No.281 of 2017 and restore the Writ  
Petition to file for disposal on merits.

For Petitioner : Mr.Sricharan Rangarajan,  
Senior Counsel,  
for Mr.B.Sivaraman

For Respondents : Mr.B.Ramanathan,  
Additional Government Pleader,  
for R1



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: Mr.R.Shivakumar,  
Standing Counsel for R2

### **ORDER**

This Review Application has been filed seeking to review the order passed by this Court in W.P.No.281 of 2017, dated 09.07.2025.

2. The petitioner herein filed main Writ Petition seeking declaration that the land acquisition proceedings initiated under the Land Acquisition Act, 1894 in respect of 3 acres and 5227 Sq.ft of land in S.No.544/13 situated in Chettinaickenpatti village, Dindigul district as lapsed in view of non-payment of compensation as required under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013). The said Writ Petition was dismissed by this Court based on the admission made by the petitioner in the Writ Petition that physical possession of the suit property was already taken by the respondents. After recording the said admission of the writ petitioner in the writ affidavit, this Court proceeded to dismiss the Writ Petition on the ground that one of the twin conditions as laid down by the Hon'ble Apex Court in ***Indoor Development Authority Vs. Manoharlal and Ors.***, reported in ***AIR 2020 SC 1496***, was



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not satisfied. Aggrieved by the said order, the present Review Application has been filed by the petitioner.

3. The learned Senior Counsel appearing for the petitioner would contend that there is no admission by the petitioner regarding taking of physical possession by the respondents from the petitioner in the writ affidavit and hence, the order passed in the main Writ Petition need to be reviewed. According to him, the physical possession of the subject property was not taken over by the respondents by preparing panchanama and hence, the physical possession has not been taken over in the manner known to law.

4. The submissions made by the learned Senior Counsel for the petitioner cannot be countenanced in the light of the well pronounced admission by the petitioner in the writ affidavit that the physical possession of the subject property was already taken over by the respondents. The relevant averment in paragraph No.10 of the writ affidavit is extracted below:-

“10. I humbly submit that it is an admitted fact that an award has been passed for acquisition of the lands in the year 1976 and it also an admitted fact that physical possession has been taken over by the respondents. However I submit that compensation has not been paid to



me till date and hence the entire acquisition proceedings shall be deemed to have lapsed in view of the provisions contained in Section 24(2) of the Act 30 of 2013.”

5. Therefore, it is clear that the petitioner categorically admitted that the physical possession was taken over by the respondents in the writ affidavit itself and they sought for a declaration under Section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 only on the ground that compensation has not been paid to them till the date of Writ Petition. It is pertinent to mention that in the writ prayer, the petitioner specifically mentioned that the land acquisition proceedings got lapsed only in view of non-payment of compensation. For the sake of convenience, the writ prayer is also extracted below:-

“For the reasons stated in the foregoing paragraphs, it is humbly prayed that this Hon’ble Court may be pleased to issue a **WRIT of DECLARATION** or any other writ or order or direction in the nature of writ declaring that the entire land acquisition proceedings initiated under the Land Acquisition Act 1894 in respect of the lands to an extent of 3 acres and 5227 sq.ft. in Survey No. 544/13 situate in Chettinaickenpatti Village, Dindigul District as lapsed in view of non-payment of compensation as required under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) and pass such further or other orders as this Hon’ble court may deem fit and proper in the circumstances of the case and thus render justice.”



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6. If it is the case of the petitioner that the physical possession has not been properly taken, certainly, they would have mentioned it in the prayer along with non-payment of compensation. The absence of any mention about the physical possession coupled with admission in paragraph No.10 of the writ affidavit categorically establishes that the physical possession was taken over.

7. In the writ affidavit, the petitioner raised only two grounds. The same are extracted below:-

**“GROUNDS**

A. The respondents have failed to note that the acquisition proceedings have lapsed in view of passing of the new Act 30 of 2013 by Parliament in view of the non-payment of compensation till date.

B. The respondents have failed to note that although the lands were acquired in the year 1976, no compensation has been paid to the petitioner till date.”

8. Therefore, it is clear that non-payment of compensation was the only ground urged by the petitioner and he has not raised any objection with regard to physical possession. In the writ affidavit, the petitioner has not stated that the physical possession has not been taken over by preparation of panchanama etc. As mentioned earlier, he categorically admitted that the physical possession was taken over. Therefore, it is not



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open to the petitioner to turn around in the Review Petition and say that the physical possession has not been taken properly. It is settled law that the review jurisdiction is very very limited. The petitioner is not entitled to urge new points in the Review Application. In the case on hand, unfortunately, the petitioner wants to take a different stand which is directly opposite to the stand taken by him in his writ affidavit. Therefore, the submission made by the learned Senior Counsel appearing for the petitioner is not acceptable to this Court.

9. The learned Senior Counsel appearing for the petitioner made a faint attempt by submitting that the initial notification was issued in a wrong name. The Writ Petition has not been filed challenging the initial notification. As per the writ affidavit, the land acquisition proceedings were initiated somewhere in the year 1976 and the award was passed in the year 1983 itself. If it is the case of the petitioner that the initial notification was issued in the name of a wrong person, the same should have been raised while challenging the initial notification. The petitioner in the present Writ Petition sought for a declaration that the land acquisition proceedings got lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition,



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Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013). The petitioner cannot try to expand the scope of the present Writ Petition that too in a Review Application by raising a point which ought to have been raised while challenging the initial notification. It is also seen from typed set, earlier, the petitioner filed series of Writ Petitions, accepting land acquisition proceedings and sought for reconveyance of acquired lands in vain. Therefore, this Court is unable to accept the contention raised by the learned Senior Counsel for the petitioner in this regard as the same cannot be a ground for review. It is also pertinent to mention that the new point urged by the learned Senior Counsel for the petitioner was not at all raised in the main Writ Petition.

10. Therefore, the petitioner has not made out any case for reviewing the order passed by this Court in the main Writ Petition. Though the learned Additional Government Pleader appearing for the first respondent and the learned Standing Counsel appearing for the second respondent are present before this Court, in view of the discussion made earlier, this Court is not inclined to issue notice to the respondents or permit the Counsels for the respondents to take notice and the Review Application stands dismissed in limini even without notice to the



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respondents. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25.03.2026

Index : yes/no  
Speaking order/Non-speaking order  
Neutral Citation : yes/no  
grs

To

1. The Secretary to the Government,  
Housing and Urban Development Department,  
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Chennai – 600 009.
2. The Managing Director,  
Tamil Nadu Housing Board Schemes,  
Nandanam,  
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**S.SOUNTHAR, J.,**

grs

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