



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Civil Appellate Jurisdiction )

Friday, the Twenty Ninth day of July Two Thousand Sixteen

PRESENT

**The Hon`ble Mr.Justice K.K.SASIDHARAN**  
**and**  
**The Hon`ble Ms.Justice V.M.VELUMANI**

REV.APLC (MD) Nos.147 and 148 of 2015

1 S. SURENDRAN  
2 S. MAHENDRAN  
3 S. RAMANATHAN  
4 G.UMA  
5 V. MANIMEKALAI  
6 S. ANGAYARKANNI

... PETITIONERS/APPELLANTS 4,3,5 TO 8  
IN REV.APLC (MD) No.147/2015

S. RAVINDRAN

... REVIEW PETITIONER/2ND APPELLANT  
IN REV.APLC (MD) No.148/2015

**Vs**

THE STATE OF TAMILNADU,  
REP BY ITS SECRETARY,  
HOUSING AND URBAN DEVELOPMENT DEPARTMENT,  
CHENNAI-600 009.

THE SPECIAL TAHSILDAR  
LAND ACQUISITION)  
MADURAI SOUTH NEIGHBOURHOOD SCHEME,  
UNIT-III, MADURAI.

TAMIL NADU HOUSING BOARD,  
REP BY ITS CHAIRMAN AND MANAGING DIRECTOR,  
ANNA SALAI NANDANAM, CHENNAI.

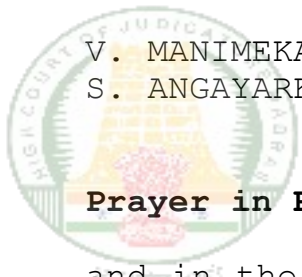
MADURAI BAR ASSOCIATION,  
THROUGH ITS SECRETARY,  
DISTRICT COURT CAMPUS,  
MADURAI.

... 1 TO 4 RESPONDENTS  
IN BOTH THE PETITIONS

S. RAVINDRAN

... 5TH RESPONDENT  
IN REV.APLC (MD) No.147/2015

S. MAHENDRAN  
S. SURENDRAN  
S. RAMANATHAN  
G.UMA



V. MANIMEKALAI  
S. ANGAYARKANNI

... RESPONDENTS 5 TO 10/APPELLANTS 3 TO 8  
IN REV.APLC(MD) No.147/2015

**Prayer in REV.APLC(MD) No.147 of 2015:**

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Review the order passed in WA(MD)No.726 of 2013 dated 28.04.2014.

**Prayer in REV.APLC(MD) . 148/ 2015 :**

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to review the order dated 28.04.2016 passed in WA(MD)No.726 of 2013.

**Prayer in WA(MD) . 726/ 2013 :**

Writ Appeal under Clause 15 of Letters Patent against the order of the learned Single Judge, dated 27.03.2013, made in WP(MD) . 9759/2012.

**Prayer in WP(MD) . 9759/ 2012 :**

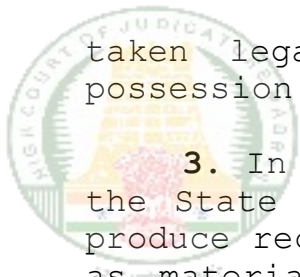
Writ Petition filed under Article 226 of the Constitution of India, for issue of a WRIT OF CERTIORARI, to call for the records relating to the acquisition proceedings initiated by the Respondent under section 4(1) of Land Acquisition Act as published in the Tamilnadu Government Gazette dated 29.07.1992 and Award No. 7/1994 dated 25.07.1994 and award No. 15/1994 dated 28.07.1994 in so far as the lands of the petitioners 2 to 8 and quash the entire acquisition proceedings the under or any other appropriate writ, order or direction or an other writ to the said effect. (Prayer amended as per the order dated 30/07/2012 MP(MD)3/12 in WP(MD) 9759/2012)

**ORDER :** These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.G.R.SWAMINATHAN, Advocate for the petitioners in IN REV.APLC(MD) No.147/2015 and Respondents 5 to 10 IN REV.APLC(MD) No.148/2015 and of Mr.R.JANARTHANAN, Advocate for R3, Standing Counsel for TNHB in both the petitions, and MR.K.S.SREENIVASAN, Advocate for the petitioner IN REV.APLC(MD) No.148/2015 and 5<sup>th</sup> Respondent IN REV.APLC(MD) No.147/2015 on behalf of the Respondents the court made the following order:-

**(Order of the Court was made by K.K.SASIDHARAN,J,)**

Heard the learned counsel for the review applicants, learned Government Advocate appearing on behalf of State and the learned standing counsel appearing on behalf of Tamil Nadu Housing Board.

2. The review applicants have taken up a specific contention that the award amount has not been deposited before the Court. The review applicants, by placing reliance on the information furnished by the authorized officer under R.T.I.Act, dated 11.05.2016, contended that the award amount is in revenue deposit and not in Court deposit. It was further contended that possession was not



taken legally, and that the appellants are still in physical possession of the property.

3. In view of the contention taken up by the review applicants, the State as well as the Tamil Nadu Housing Board are directed to produce records evidencing the deposit made before the Court as well as materials to show as to how possession of acquired land was taken.

4. Post the matter on 18 August, 2016.

sd/-  
29/07/2016

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Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1. THE SECRETARY,  
STATE OF TAMILNADU,  
HOUSING AND URBAN DEVELOPMENT DEPARTMENT,  
CHENNAI-600 009.
2. THE SPECIAL TAHSILDAR  
(LAND ACQUISITION)  
MADURAI SOUTH NEIGHBOURHOOD SCHEME,  
UNIT-III, MADURAI.
3. THE CHAIRMAN AND MANAGING DIRECTOR,  
TAMIL NADU HOUSING BOARD,  
ANNA SALAI NANDANAM, CHENNAI.

ORDER  
IN  
REV.APLC(MD) Nos.147 & 148/2015  
Date :29/07/2016

KRK  
TE/SK-SKN/SAR-III : 09/08/2016 : 3P/4C