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W.P.(MD).Nos.27922, 28131 and 29208 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on	:	10.02.2026
Pronounced on	:	27.02.2026

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN**

W.P.(MD).Nos.27922, 28131 and 29208 of 2024
and
W.M.P(MD) Nos.23681, 24724, 24725 and 24723 of 2024

W.P.(MD)No.27922 of 2024

- 1.P.Malairajan
- 2.S.Mani
- 3.Periyasamy
S/o.Narayanan
- 4.M.Nagammal
5. V.Raja
6. Periyasamy
S/o.Perumal
7. Rajamani
8. Amirtham
9. Murugan
10. Lakshmi
11. Petchaimmal
12. Sathiyabama
13. Annamayil
14. K.Anjugam



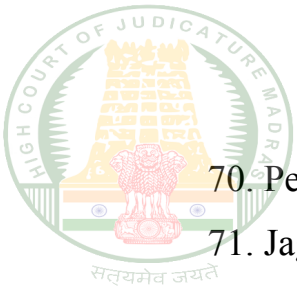
W.P.(MD).Nos.27922, 28131 and 29208 of 2024

15. Amini
16. Veerammal
17. Krishnammal
18. Rajasigh
19. Kuruvammal
20. Chinnathambi
21. Maduraiveeran
22. Ramamoorthi
23. Udaiammal
24. Rajammal
25. Rajesh Kumar
26. Manogari
27. Poongodi
28. Sundari
29. Magalingam
30. Lakshmi
31. Suresh
32. Ramalingam
33. Sundararajan
34. Chinnathambi
35. Periyasamy
S/o.Pampaiyan
36. Ramasamy
37. Ayyarpandi
38. Veerammal
39. Pandi
40. Macham
41. Magamuni



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42. Kumar
43. Ramanathan
44. Arumugam
45. Balasubramani
46. Sivani
47. Karuppasamy
48. Karthick
49. Muthuveerapandi
50. Sakthivel
51. Thambiraj
52. Rajivgandhi
53. Saravanan
54. Ganesan
55. Thenarasu
56. Veerammal
57. Thirupathi
58. Sundaralingam
59. Murugan
60. Rajapandi
61. Vijayalakshmi
62. Tamilselvi
63. Arumugam
64. Jayabalan
65. Gunasekaran
66. Nagaraj
67. Karuppaiah
68. Ramesh
69. Anandhakumar



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70. Periyasamy

71. Jagathesan

72. Veeraragavan

73. Udaiyar

74. Sundarapandi

75. Ajithpandi

76. Athishpandi

77. Balamurugan

78. Gajendran

79. Packiyam

80. Ravichandran

81. Veerammal

82. Chitra

83. Udaiyar

84. Tamilselvan

85. Veerpathiran

86. Murugan

87. Viji

88. Veerammal

89. Anandhakumar

90. Murugan

91. Muneeskumar

92. Vignesh

93. Sasikumar

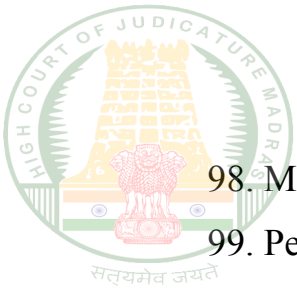
94. Sundaram

95. Ayyammal

96. Bose

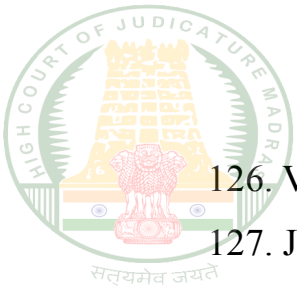
97. Udaiyammal

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98. Mahalingam
99. Periyapandi
100. Ayyanar
101. Velmurugan
102. Pandi
103. Katturaja
104. Ramasamy
105. Ramachandran
106. Chinnapillai
107. Sumathi
108. Periyathambi
109. Udaiyar Balasakthi
110. Lakshmi
111. Sathasivam
112. Chinnaveeran
113. Balakrishnan
114. Tamilarasi
115. Arumugam
116. Tamilselvi
117. Selvam
118. Sivasamy
119. Periyasamy
S/o. Muniyandi
120. Vijayakumar
121. Lingammal
122. Saraswathi
123. Pavunraj
124. Periyasamy
125. Sundaram



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126. Veerapathiran

127. Jayasundari

128. Veerammal

129. Magalingam

130. Lakshmi

131. Murugan

132. Balusamy

133. Veerammal

134. Selvaraj

135. Kanniah

136. Nagarani

137. Chellathai

138. Indiradevi

139. Pandiselvam

140. Meenakshi

141. Ganesan

142. Selvakumar

143. Chellapandi

144. Duraiprakash

145. Vigneshkumar

146. Arumugam

147. Chellaye

148. Krishnan

149. Ramalingam

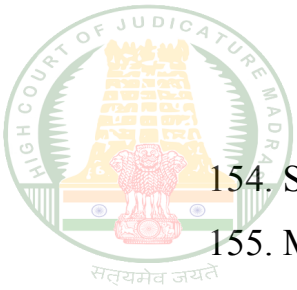
150. Chinnaveeran

151. Pavunraj

152. Saravanakumar

153. Megaladevi

6



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154. Silambarasan

155. Muniyammal

156. Kaleeswari

157. Bose

158. Veerapandi

159. Ramu

160. Vellaiyan

161. Murugan

162. Selvaraj

163. Skylab

164. Selvam

165. Ramar

166. Lakshmanan

167. Praveen

168. Prasanth

169. Prabu

170. Ravikumar

171. Sundarapandi

172. Vijayakumar

173. Ammapillai

174. Udaiyar

175. Mallika

176. Anith

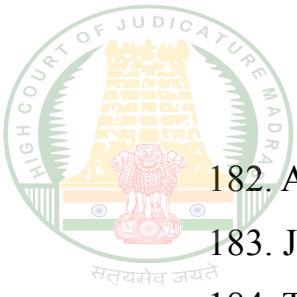
177. Vijayakumar

178. Sundaralingam

179. Muthuselvi

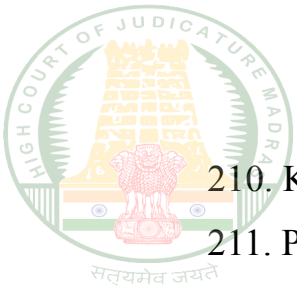
180. Rajkumar

181. Ragul



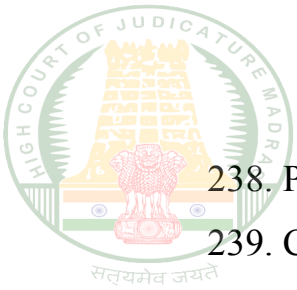
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182. Ananthi
183. Jayandhi
184. Tamodaran
185. Selvendran
186. Thanvendran
187. Sundarapandi
188. Veerapathiran
189. Pandiyarajan
190. Raman
191. Kalyani
192. Udaiyar
193. Veerapathiran
194. Pandi
195. Chandran
196. Ramu
197. Chinnapillai
198. Vijayaprakash
199. Jothiyammal
200. Jayakodi
201. Barani
202. Kundumalai
203. Parameeswari
204. Machakalai
205. Patchaimuthu
206. Pavunlingam
207. Muthulakshmi
208. Kannaeram
209. Malairajan



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210. Karuppanan
211. Periyakaruppan
212. Ayyanar
213. Mayazhagan
214. Selvam
215. Mahalingam
216. Arunpandi
217. Ayyammal
218. Ayyanar
219. Azhagar
220. Duraipandi
221. Ananthaprakash
222. Jayagandhi
223. Thangam
224. Chinnakaruppan
225. Pavunraj
226. Palanikumar
227. Azhagar
228. Pandiyarajan
229. Periyasamy
230. Lakshmana balaji
231. Veerammal
232. Nallammal
233. Veerasamy
234. Kumar
235. Mohan
236. Udaiyammal
237. Chinnasamy



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238. Periyaveeran

239. Chinnaveerammal

240. Periyasamy
S/o.Udaiyar

241. Karthikeyan

242. Periyasamy
S/o.Muniyandi

243. Jothimani

244. Rajeshkumar

245. Veeramani

246. Vijay

247. Mahendraprabu

248. Chinnathambi

249. Manikandan

250. Mahendran

251. Surendran

252. Tamilselvan

253. Periyasamy

254. Lakshmi

255. Ravi

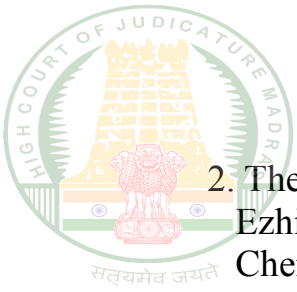
256. Anbalagan

257. Murugavelrajan

258. Lingammal

Vs.

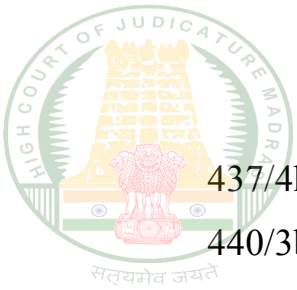
1. The Government of Tamilnadu,
Rep. by its Principal Secretary
Revenue and Disaster Management Department
Fort St. George, Secretariat
Chennai - 600 009.



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2. The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai -600 005.
3. The District Collector,
Madurai District,
Madurai.
4. The District Revenue Officer
Madurai District,
Madurai.
5. The Special Tahsildar
Unit 1, Land Acquisition (Airport Expansion)
Madurai Collectorate, Madurai District.
6. The Airports Authority of India
Rep. by its Chairman
Rajiv Gandhi Bhawan
Safdarjung Airport
New Delhi - 110 003.
7. Airport Director
The Airports Authority of India
Madurai Airport
Madurai.

Prayer: Writ Petition, has been filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus to forbear the respondent nos. 3 to 5 from Evicting the Petitioners belonging to Scheduled Caste from their Dwelling houses and properties in their respective patta lands in survey numbers 437/2a, 437/2b, 437/2b, 440/3b, 437/3c, b3.18, 437/2c, 437/2b15, 440/3b20, 440/3b33, 440/3b34, 437/2b10, 437/2b, 440/2b10, 437/2b34, 437/2b, 437/1t, 437/4i2, 437/2b25, 440/2p1, 440/3b9, 437/2b32, 440/3b, 437/4j, 437/3c, b39, 437/2b, 355, 437/2b11, 437/2c, 437/4a, 437/4j, 441/7a, 441/7a, 441/7a,



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437/4h, 437/5a, 437/4h, 438 b 6, 438 b 2, 437/2c, 440/3b16, 437/1b, 440/3b23, 440/3b, 437/1e, 437/1c, 440/3b33, 437/4a, 437/1b, 437/2b, 440/3b 15, 440/3b 17, 440/3b 26, 437/1t, 437/1b, 440/3b 18, 437/2b 37, 537/5A1, 422/2A, 440/3b, 440/3B5, 440/3b, 437/2b, 440/3b8, 440/3b34, 437/2b38, 444/8a, 440/3b13, 437/2B, 440/3B3, 441/3B1, 419/2b, 440/3b19, 437/2b31, 440/2b2, 437/2b, 419/2b, 440/13, 440/3b17, 437/2b, 440/3b27, 441/7B, 440/3B4, 440/3B21, 440/12, 440/2B14, 437/4A, 437/2B, 437/4a, 437/4i, 440/3B25, 440/3B29, , 440/3B28, 440/3B24, 437/4i, 440/21, , 437/4i, , 437/2B17, 440/2B13, , 437/5d,g,e, 440/3B34, 440/3B34, 440/3B27, 440/3B27, 440/3B4, 440/3B4, 440/3B4, 440/3B4, 440/3B31, 440/3B31, 440/3B31, 441/7B, 419/2B, 419/2B, 440/3B19, 437/1B, 441/7B, 441/7B, 441/7B, 437/2B, 437/2B, 437/2B, 437/2B15, 437/1B, 437/1B, 440/3B5, 440/3B5, 440/3B5, 440/3B14, 437/4f, 437/4f, 437/4f, 441/6B3D, 441/6A5B, 441/6A5B, 437/3A, 437/3A, 441/3A, 437/3C, 437/3c, 419/3, 440/8, 440/6D, 437/5f, 444/6A, 440/2, 441/1B, 433/7, 440/3B21, 441/2A1C, 441/2A, 441/4B7, 440/3B3, 440/3B1, 440/3B1, 440/3B1, 440/3B1, 440/3B21, 440/8, 440/3B8, 440, 440/5B, 440/2B, 440/2B, 440/3B1, 440/3B2 , 437/2B, 440/3B8, 437/4g, 438/2, 437/2B, 440/3a, 440/3A, 422/3A, 440/6, 441/1A, 441, 437/3C, 437/1C, 437/4A, 424/1, 437/4j2, 500/39, 440/3B5, 428/3B1, 437/5c, 437/5f, 440/3B26, 420/2e, 419/2B, 440/1B, 440/1i, 440/1l, 441/4B2, 440/1G, 440/1M, 441/6B2C, 447/2B, 437/1B, 440/6C, 434/4, 440/1U, 441/6B4, 43/1G, 440/2, 440, 438/1, 438/1, 440/3B5, 440/1Q, 422/1A, 422/1, 441/4B5, 440/1N, 440/6D, 440/3B13, 440/3B36, 419/2B, 440/3B2, 440/1X, 440/3B8, 437/2B, 437/1B, 437/5G, 440/3B12, 437/3A situated at Chinna Udaippu, Ayyanpappakudi Village, PTC Perungudi Post Madurai South Taluk, Madurai District without providing rehabilitation and Resettlement Assistances to them who belong to Scheduled Caste



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community as per Revival Act 38 of 2019 upheld by Honble Supreme Court in G.Mohan Rao Vs State of Tamil Nadu, 2022(12) SCC696 and pass such other orders as this Honble court may deem fit.

For Petitioners : Mr.T.Lajapathi Roy,
Senior Counsel
For Mr.S.Lenin Prabu

For R1 to R5 : Mr.Veera Kathiravan
Additional Advocate General
Assisted by Mr.D.Sasikumar
Additional Government Pleader

For R6 and R7 : Mr.C.Godwin

W.P(MD)No.29208 of 2024

1. P.Malairajan
2. Periyasamy
3. Bose
4. Alagar
5. Periyapandi
6. Tamil Selvi
7. Ramu
8. Rajeshwari
9. Mahalingam
10. Periyasamy
11. Katturaja
12. Chinnathambi
13. Lakshmi
14. Pandi
15. Chellapandi



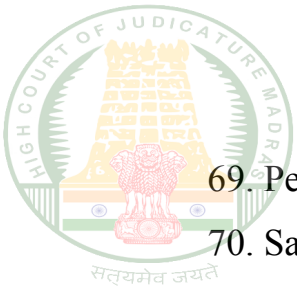
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16. Ayyanan
17. Ganesan
18. Poomani @ Arunpandi
19. Lakshmi
20. Periyakaruppanan
21. Krishnammal
22. Viji
23. Karupaye
24. Azhagar
25. Ayyanar
26. Pavunraj
27. Udaiyar
28. Tamilarasi
29. Rajivgandhi
30. Kannaiah
31. Mani
32. Gopala Krishnan
33. Sundari
34. Ayyarpandi
35. Thambiraj
36. Raja
37. Veerammal
38. Lingammal
39. Poongodi
40. Periyathambi
41. Ramachandran
42. Ramasamy
43. Kuruvammal



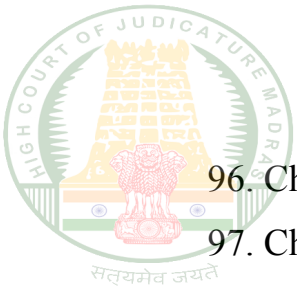
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44. Veerapathiran
 45. Nagarani
 46. Nagammal
 47. Chinna Verammal
 48. Jayasundari
 49. Chinnapillai
 50. Shanmugam
 51. Arumugam
 52. Mahalingam
 53. Murugan
S/o.Muthuveeran
 54. Murugan
S/o. Andichi
 55. Velmurugan
 56. Veerammal
D/o.Lingammal
 57. Veerammal
W/o.Chinnathambi
 58. Jothiyammal
 59. Ramamoorthi
 60. Amani
 61. Mahalakshmi
 62. Sundarammal
 63. Macham
 64. Petchiyammal
 65. Kalyani
 66. Selvi
 67. Meenaktchi
 68. Manohari
- 15



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69. Periyasamy
70. Sathyabama
71. Palsamy
72. Sarasu
73. Chandran
74. Veerammal
75. Mahalakshmi
76. Azhagar
77. Sevani
78. Udaiyar
79. Jayagandhi
80. Veerammal
81. Periyasamy
S/o. Veerapathiran
82. Pandiyarajan
83. Veerasamy
84. Chinnathambi
85. Sakthivel
86. Rajammal
87. Rajasingh
88. Sathasivam
89. Bose
90. Periyasamy
91. Chinnasamy
92. Veerasamy
93. Kalyani
94. Machakalai
95. Karuppaiah



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96. Chinna veerammal

97. Chandra

98. Veerammal

99. Udaiyar

100. Periyasamy
S/o.Kutaiyan

101. Parameswari

102. Mahamuni

103. Azhagar

104. Maduraveeran

105. Chinnaveerammal

106. Balakrishnan

107. Sundarapandi

108. Murugan

109. Veerasamy

110. Chinnathambi

111. Veerammal

112. Chellathai

113. Annamayil

114. Muniyammal

115. Karupanan

116. Kumar

117. Veerammal

118. Udaiyammal

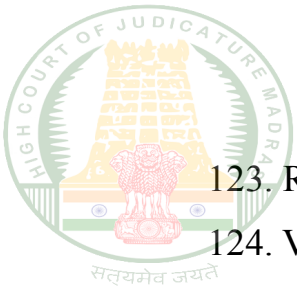
119. Murugan

120. Udaiyammal

121. Krishnan

122. Lakshmi

17



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123. Ramasamy

124. Veerammal

125. Periyaveeran

126. Ramalingam

127. Ramu

128. Vasantha

129. Murugan

130. Ramesh

-- Petitioners

VS

1. Government of Tamilnadu
Represented by its Principal Secretary
Revenue and Disaster Management Department
Fort St. George, Secretariat,
Chennai - 600009.

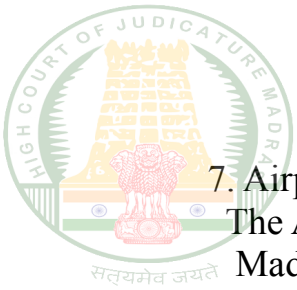
2. The Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai - 600005.

3. The District Collector,
Madurai District, Madurai.

4. The District Revenue Officer,
Madurai District,
Madurai.

5. The Special Tahsildar
Unit1
Land Acquisition (Airport Expansion)
Madurai Collectorate
Madurai District.

6. The Airports Authority of India
Rep. by its Chairman
Rajiv Gandhi Bhawan
Safdarjung Airport
New Delhi - 110003.



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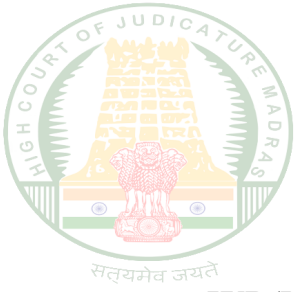
7. Airport Director
The Airports Authority of India
Madurai Airport
Madurai.

Respondent(s)

Prayer:Writ Petition has filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, to declare the Provisions under section 4(2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 to the extent that without conforming to the safeguards provided under section 38 along with Schedule 2 and Schedule 3 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 and the Revival Act 38 of 2019 as null and void and ultravires of the Constitution or in the alternative to harmoniously construct that, the provisions of Section 38 along with Schedule 2 and Schedule 3 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 have to be read together with The Revival Act 38 of 2019 and Section 4 (2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 to provide Rehabilitation and Resettlement before resorting to eviction under section 4 (2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 and pass such further or other order as this Honble Court may deem fit.

For Petitioners : Mr.T.Lajapathi Roy,
Senior Counsel
For Mr.S.Lenin Prabu

For R1 to R5 : Mr.Veera Kathiravan
Additional Advocate General
Assisted by Mr.D.Sasikumar
Additional Government Pleader



For R6 and R7 : Mr.C.Godwin
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WP(MD) NO. 28131 of 2024

M.P.Kalaiselvan

... Petitioner

Vs

1. The Secretary
The Ministry of Civil Aviation
The Government of India
Rajiv Gandhi Bhawan
Block B,
Safdarjung Airport Area
New Delhi 110003.
2. The Government of Tamil Nadu
Department of Industries
Investment Promotion and Commerce
Represented through its Secretary
Fort St.George
Chennai 600 009.
3. The District Collector
Madurai District,
Madurai.
4. The Senior Manager
Airport Authority of India
Madurai Airport,
Madurai District.
5. The Special Tahsildhar (L.A)
Airport Extension
Unit-I
Madurai 625 020.

.... Respondents

Prayer:Writ Petition has been filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Mandamus directing the



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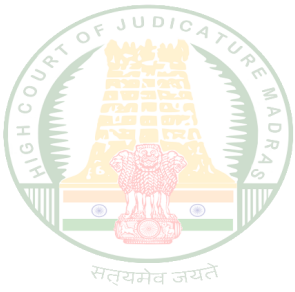
respondents to release the petitioner's house site in Survey No.457 (1A4) admeasuring 0.24.0 Hectares i.e. 15 cents 6600 feet in Ayanpapakkudi Village, Madurai South Taluk, Madurai District from the acquisition process of extension of commercial activities for Madurai Airport by considering his representation dated 19.09.2024 given U/S 101 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and resettlement Act, 2013 and for other such reliefs within the period stipulated by this Honourable Court.

For Petitioner : Mr.A.Haja Mohideen,

For R1 : Mr.P.Sundaravadivel

For R2, R3, & R5: Mr.Veera Kathiravan
Additional Advocate General
Assisted by Mr.D.Sasikumar
Additional Government Pleader

For R4 : Mr.C.Godwin



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COMMON ORDER

WEB COPY[Order of the Court was made by **Mr.K.K.RAMAKRISHNAN.J**]

WP(MD)No.27922 of 2024 has been filed to issue writ of Mandamus forbearing the official respondents from evicting the petitioners from the dwelling house and properties in the respective patta lands in various survey numbers stated in the prayer, without providing rehabilitation and resettlement assurance.

WP(MD)No.29208 of 2024 has been filed to issue a Writ of Declaration, to declare the Provisions under section 4(2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 to the extent that without confirming to the safeguards provided under section 38 along with Schedule 2 and Schedule 3 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 and the Revival Act 38 of 2019 as null and void and ultravires of the Constitution or in the alternative to harmoniously construct that, the provisions of Section 38 along with Schedule 2 and Schedule 3 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 have to be read together with The Revival Act 38 of 2019 and Section 4 (2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 to provide the



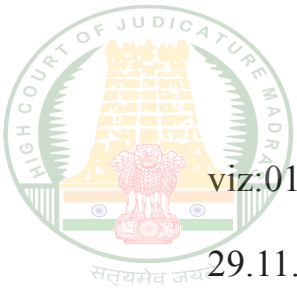
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Rehabilitation and Resettlement before resorting to eviction under section 4 (2) and 4 (3) of the of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997

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2. Brief facts of both Writ Petitions:

2.1. The writ petitioners in WP(MD)No.27922 of 2024 and WP(MD)No.29208 of 2024 are claimed to be the owners of the land acquired by the government for the expansion of the Madurai Airport in order to upgrade the Airport as International Airport. They have filed the writ petition stating that there are 350 families residing in the Chinna Udaippu Ayyanpappakudi Village, Perungudi Post, Madurai South Taluk. The writ petitioners are among the 300 families residing in the said village and belonging to the scheduled caste community and they are living in the said village in their own patta lands and running business and shops in and around the area and their children are studying in nearby schools and colleges. That being the situation, the respondents namely, State Government Authorities and the Airport Authorities issued the notification in Na.Ka.No.31264/09/B1 dated 09.06.2009 to acquire the land for expansion of Madurai Airport under Section 3 (2) of Tamil Nadu Industrial Purpose Act, 1997 (herein after called Tamil Nadu Act, 10 of 1999). Thereafter, some more separate notifications were issued on various dates

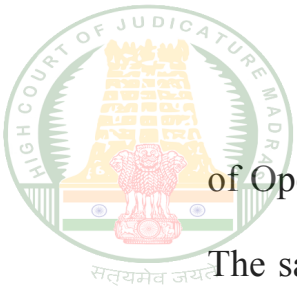


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viz:01.04.2013, 07.07.2017, 07.09.2018, 14.12.2018, 15.04.2019,
29.11.2019, 31.08.2021.

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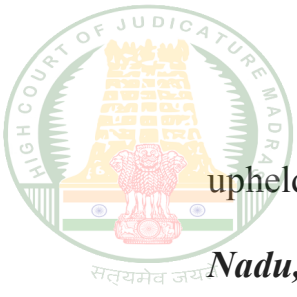
2.2. Finally, process of granting compensation amount to all the land owners except 30 persons was completed in the year 2023. Thereafter, the respondent No.5, namely, Special Tahsildar, Unit No.I, Land Acquisition (Airport Expansion), issued the proceedings dated 22.01.2024, 28.06.2024, 22.10.2024 and forced the villagers to vacate their houses and lands, that too without giving the reasonable compensation and providing proper resettlement and rehabilitation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (herein after called Central Act, 2013). It is further stated in the writ petition that State of Tamil Nadu had brought amendment to the Central Act, 2013, and incorporated the Section 104(A) exempting the applicability of the Central Act, 2013 to the three State Acts including the Tamil Nadu Act, 1997. The same had been challenged and the Division Bench of this Court struck down the same and the same had been challenged before the Hon'ble Supreme Court in SLP.No.2063 to 2066 of 2020 and Hon'ble Supreme Court was pleased to stay of the operation of the Judgment of this Court. Pending the same, the State Government had passed the Act, 2019, namely, Tamilnadu Land Acquisition Laws (Revival



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of Operation, Amendment and Validation) Act, 2019 to revalidate the Act.

The said revalidation Act, 2019, had been challenged by the land owners before the Hon'ble Supreme Court and the Hon'ble Supreme Court in the case of ***C.Mohan Rao's Vs. State of Tamil Nadu*** reported in ***2022 12 SCC 696*** upheld and it therefore the provision of the fair compensation, rehabilitation and resettlement as stated in the Central Act, 2013 is applicable to the petitioners. Apart from that, after the revalidation Act, the existing rule was neither amended nor new rule was framed after the judgment of the Mohan Rao. Unless and until, rules are amended the acquisition proceedings initiated under the Tamil Nadu Act, 10 of 1999 as stated above is not only illegal and also could not be proceeded further. Without doing the same, the order of the 5th respondent to dispossess the petitioners in a forceful manner violated the fundamental right of the petitioners. Therefore, on 20.11.2024, the writ petitioners have filed this writ petition in W.P.(MD).No.27922 of 2024 to issue a Writ of Mandamus to forbear the respondent Nos.3 to 5 from evicting the Petitioners belonging to Scheduled Caste from their Dwelling houses and properties in their respective patta lands in various survey numbers as stated above situated at Chinna Udaippu, Ayyanpappakudi Village, PTC Perungudi Post Madurai South Taluk, Madurai District without providing rehabilitation and Resettlement Assistances to them as per Revival Act 38 of 2019

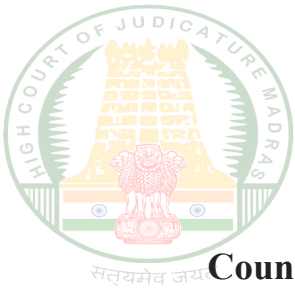


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upheld by Honble Supreme Court in ***G.Mohan Rao Vs State of Tamil Nadu, (2022(12) SCC 696).***

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2.3. Subsequently, on 03.12.2024, some of the writ petitioners in the above writ petition in W.P.(MD).No.27922 of 2024 and other petitioners of the same village have filed W.P.(MD).No.29208 of 2024 to issue a Writ of Declaration, to declare the Provisions under section 4(2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 to the extent that without conforming to the safeguards provided under section 38 along with Schedule 2 and Schedule 3 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 and the Revival Act 38 of 2019, as null and void and ultravires the Constitution or in the alternative to harmoniously construct that, the provisions of Section 38 along with Schedule 2 and Schedule 3 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 have to be read together with The Revival Act 38 of 2019 and Section 4 (2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 to provide Rehabilitation and Resettlement before resorting to eviction under section 4 (2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 with the same averment and other grounds.



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3. The contentions of Thiru.T.Lajapathi Roy, learned Senior

Counsel appearing for the writ petitioners :-

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3.1. The learned Senior counsel would submit that once revalidation Act, 2019, is brought into operation, without bringing rules in consonance with the revalidation Act, the Section 4 (2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, without corresponding rules of compensation, rehabilitation and resettlement has no legs to stand on. Therefore, the learned Senior counsel would submit that the provision has to be struck down.

3.2.The learned Senior counsel would also submit that when the petitioners belonged to scheduled caste and they sought to provide proper alternative land, for construction of new house and government job to one member of each house hold as a rehabilitation and resettlement, the Act of the Government without formulating the rules with the above provisions of rehabilitation and resettlement to the State Act 1997, the acquisition proceedings has become automatically illegal.

3.3.Without providing the above said rehabilitation and resettlement facilities, act of the officials threatening forceful eviction violates the



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petitioner's right of the property and livelihood as enshrined under Article 21 and 300(A) of the Constitution of India.

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3.4.The learned Senior counsel would also rely on the judgment of the Hon'ble Supreme Court in the case of *Property Owners Association Vs. State of Maharashtra & Others* reported in *2024 INSC 835* and *2023 Live Law (SC) 413* emphasised that the petitioners are entitled to a built house, 2 acres of agricultural land and also other rehabilitation and resettlement package. Without doing the same, the State government's attempt of forceful eviction is not only against the spirit of the Act and also unconstitutional and offending the various provision of the Schedule Caste and Schedule Tribes Prevention of Atrocities Act.

4.The submission of Thiru.Veera Kathiravan, learned Additional Advocate General, appearing on behalf of the State:-

4.1. The learned Additional Advocate General at the outset would submit that the State government in order to fulfil the long standing demand of Southern District of Tamil Nadu to upgrade the Madurai Airport

as International Airport made a decision to expand the Madurai Airport and discussed with the Airport Authority of India for the development and



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made an agreement with the Airport Authority of India to upgrade the

Airport into the International Airport with contribution of 50% cost in

equal proportion and in view of the agreement, Tamil Nadu government

decided to acquire vast extent of the land measuring more than 633.17

acres in various villages to upgrade the Airport to the level of

International in the year 2008 and thereafter, in the year 2009 acquisition

proceedings were initiated under State Act, 10 of 1999, by issuing the

paper publication and individual notice to the land owners. The acquisition

proceedings had been completed in the year 2009 and compensation was

also was granted in most of cases and in some cases, due to the dispute

between the land owners entitlement, the award amount was deposited and

also due to the non co-operation of the petitioners the possession of the

land had not been taken. In view of the fact that the acquisition

proceedings were completed in the year 2009, itself, the Central Act, 2013,

had no application. But, the State government, considering the grievance

of the land owners, after the revalidation Act, as exgratia as a welfare

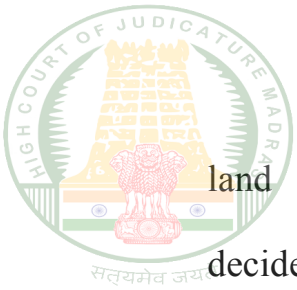
measures, Government had given the adequate compensation as per the

Central Act, 2013. Dehors the petitioners, possession, of the 90% of the

land acquired was already taken and only due to the petitioners

obstruction, the project has not been completed. In the acquired land

already compound wall was erected except a portion of the 10% of the



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land in possession of the petitioners. That apart, now the government decided to give valuable 2 cents of house site in the Perungudi village itself which is also urban area near the acquired village and also agreed to give a built house under the special scheme at the State's cost. Therefore, the Additional Advocate General would submit that it is unjust enrichment on the part of the petitioners refusing to vacate the premises even after receipt of the compensation under new Act, and without agreeing to the government's proposal to give 2 cents land in the nearby urban area with undertaking to give a built house at the State's cost. The programme was initiated in the year 2009 and in view of the petitioners' defiant attitude the programme was not completed even after 16 years and hence, the government not only has been suffering escalation cost and also is unable to implement the project of the upgradation of the Madurai Airport into International Airport.

4.2.The learned Additional Advocate General would also submit that prayer in the writ petition to declare Section 4 (2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, and Revalidation Act, 2019 as null and void is misconceived on the ground that the Hon'ble Supreme Court in 'Mohan Rao case' upheld Validity of Revalidation Act, 2019, and the Hon'ble Supreme Court further reaffirmed



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the validity in the case of C.S.Gobalakrishnan. Therefore, he sought to dismiss the writ petition.

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4.3.The learned Additional Advocate General would submit that Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2017 is already in force and once revalidation Act was upheld by the Hon'ble Supreme Court in the above stated cases, there is no necessity to frame the new rules for the simple reason that the existing rule, 2017, is also applicable to the revalidation Act. Therefore, he prayed this Court to negate the argument of learned Senior counsel appearing for the petitioner that in the absence of the rule after revalidation Act, 2019 impugned provisions have to be struck down.

4.4.Learned Additional Advocate General would submit that land has been already acquired vide 2009 notification. Subsequently, “*addendum*” was issued relating to the calculation of values of trees and buildings and the same cannot be treated as fresh acquisition under the new Act. In any event, the State government had already disbursed the compensation as per the new Act (2013) as ex gratia payment. Therefore, there is no prejudice caused to the petitioners. None of the document filed before this Court had established that they were doing agricultural



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activities in the acquired land and also no documents were produced to show that their livelihood was based on the agricultural activities in the acquired lands and no scrap of materials were produced to show that they were doing agricultural coolie work before the acquisition. The petitioners are not entitled to any of the agricultural land. Therefore, their demand is highly reprehensible and hence, liable to be rejected.

4.5.The learned Additional Advocate General would also produce the map containing the acquisition of the vast extent of land covering number of villages including the petitioners' village and acquisition of 90% of total project lands except the petitioners' land to show their intention not to vacate the premises even after the receipt of compensation under new Act, which has driven the authorities to issue the forceful eviction notice, that too in the year 2024.

4.6.The learned Additional Advocate General would also submit that once the petitioners received the compensation and land is acquired and when there is no challenge of acquisition, the prayer in W.P.(MD).No. 27922 of 2024 is not legally sustainable.



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4.7.The learned Additional Advocate General would also submit

that reasonable percentage of the land are government porampoke land and the petitioners illegally occupied the lands and constructed the house and without looking into the same, the government already disbursed the compensation under new Act (2013) and in the said circumstances, larger public interest has to be considered and also relied the principle that public necessity is greater than private necessity as held by the Hon'ble Supreme Court in the judgment reported in *1988 4 SCC 364, AIR 2005 SC 1* and *2012 AIR SCW 189*.

5.Reply by the learned Senior Counsel appearing for the petitioners:-

5.1. The learned Senior Counsel appearing for the petitioners by way of reply would submit that when the petitioner demanded 5 cents of land along with entitlement of 2 acres of agricultural land for resettlement and rehabilitation measurement, providing 2 cents of land for construction of the house outside of the village will not meet out the requirement stated in the Act, 2013 and also various direction of the Hon'ble Supreme Court. The learned Senior Counsel would also submit that as per Section 24 of the Central Act, 2013, if the award amount is not disbursed prior to the Act, then the new Act becomes applicable and they are entitled to 2 acres



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of land. Further, all the persons are scheduled caste people and their grievance should have been redressed in consonance with the constitutional obligation and he relied the following precedents:-

- i) 2022 12 SCC 696
- ii) 2023 LiveLaw (SC) 413
- iii) 2024 INSC 435
- iv) 2019 5 MLJ 641 (The Caritas India Vs. Union of India)

6.Reply of the learned Additional Advocate General appearing for the State :-

6.1. The learned Additional Advocate General by way of reply would submit that Section 24 has no application to the petitioners case on the ground that the acquisition was made prior to the Central Act, 2013 and also the government granted compensation as per the new Act as a exgratia.

7. Submission of the learned counsel for the Airport Authority:-

7.1.The learned counsel appearing for the Airport Authority of India would submit that 90% of lands was handed over to the authorities with construction of compound wall and only 10 % of the land are remaining to be entrusted with the authorities to proceed further as per the upgradation



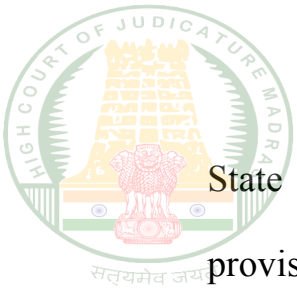
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programme. As per the agreement entered with the State government, it is the duty of the State government to provide the land and possession without any encumbrance to proceed further. In view of the pendency of the writ petitions and inability to disposes the petitioners, the project had been pending from 2009 onwards, without taking it forward.

8.This Court considered the rival submissions and perused the records and also the precedents relied upon them.

9.The State of Tamil Nadu and the Airports Authority of India, in order to address the long-pending demand of the people of southern Tamil Nadu for upgrading the Madurai Airport as an International Airport, decided to acquire an extent of 633.17 acres of land for the purpose of expansion and development of the Madurai Airport. The cost of acquisition was to be shared equally between the State Government and the Airports Authority of India, each contributing 50%.

10. Pursuant to the said decision, lands situated in Ayyanpapagudi, Valayapatti, Kusavankundu, Kodalsengulam, Pappanodai, Ramankulam, and Perungudi village in Madurai South and Tirupparankundram Taluk, Madurai District, covering 24 blocks, were identified for acquisition. The



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State government decided to acquire the required land under the provisions of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, herein after called 'Tamil Nadu Act, 10 of 1999'. Accordingly, the Government of Tamil Nadu issued G.O. Ms. No. 133 dated 05.08.2008, followed by a notification dated 05.08.2008, for acquiring the said lands and handing over the same to the Airports Authority of India free of cost and without encumbrances.

11. As per the provision of the Tamil Nadu Act, 10 of 1999, lands belonged to more than 3090 pattadars covering six villages and number of hamlets were acquired and possession was taken and compound wall was constructed except in the petitioner's village. The petitioners alone are objecting to vacate from their holding even after receiving compensation.

12. The petitioner's village comprised in Block No.3 of project of Airport Expansion, wherein the land measuring 8.25.74 hectares (20.40 acres) land comprising in S.Nos.436, 437, 440 and 441 (135 sub divisions) of Chinna Udaippu village, Hamlet of Ayyanpappakudi, Madurai South Taluk, Madurai District, belonging 262 registered pattadars and also encroachers. Notice under Section 3(2) of the State Act, 10 of 1999, to acquire the land was caused to be issued vide publication on 10.10.2009.



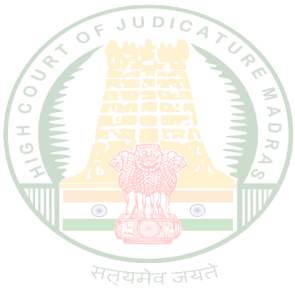
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Since the said State Act did not provide for any rehabilitation and resettlement programme, after the enquiry, Gazette notification was issued on 07.03.2012 under Section 4(1) of the Act, and the subsequent notice under Section 4(2) of the Act, was issued on 08.06.2012. There had been no challenge of acquisition proceedings at any point of time. Therefore, as per the Act, the land acquired is vested with government free from all encumbrance. For better appreciation, Section 4 of the Act 10 of 1999, is extracted below:-

“4. (1) when a notice under Sub Section (1) of Section 3 is published in the Tamil Nadu Government Gazette, the land to which the said notice relates shall, on and from the date of such publication, vest absolutely in the Government free from all all encumbrances :

Provided that if before actual possession of such land is taken by, or on behalf of the Government, it appears for the Government, that the land is no more required for the purpose of this Act, the Government, may, by notice published in the Tamil Nadu Government Gazette, withdraw the land from acquisition. On the publication of such notice the land shall revert with retrospective effect in the person from whom it was divested on the issue of order under sub-section (1) of section 3, subject to such encumbrances, if any, as may be subsisting at that time:

Provided further that the owner and other persons interested shall be entitled to payment of an amount as determined in accordance with the provisions of section 7 for the damage, if any, suffered by them in consequence of the acquisition proceedings. (2) Where any land is vested in the Government under sub-section (1), the Government may by order, direct any person who may be in



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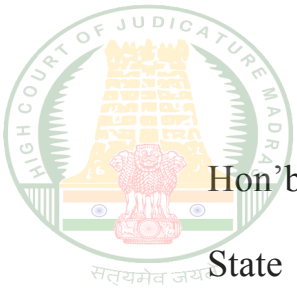
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possession of the land to surrender or deliver possession thereof to the Collector or any person duly authorised by him in this behalf within thirty days of the service of the order.

*(3) If any person refuses or fails to comply with an order made under subsection (2), the Collector may take possession of the land, and may, for that purpose, **use such force as may be necessary.***

13. Since the writ petitioners refused to vacate the premises, the government has taken steps to vacate the writ petitioners. The said obstruction had continued. In mean time, the Central Act 13 of 2013, came into effect on 01.01.2014. The State government brought the enactment 1 of 2015 by inserting the Section 105-A to the Central Act, 2013 exempting the provision of the Central Act, 2013 to the three State Acts namely, i)Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 ii) Tamil Nadu Highways Act, 2001, and iii.Tamil Nadu Harijan Welfare Act, 1982.

14.The validity of the said amendment was challenged before this Court, and the Hon'ble Division Bench of this Court, by judgment dated 03.07.2019, struck down the provision and held that acquisitions made after **01.01.2014** without complying with the Central Act were invalid. Aggrieved by the same, the State Government preferred appeals before the



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Hon'ble Supreme Court and stay was obtained. Pending such appeals, the

State enacted the Tamil Nadu Land Acquisition Laws (Revival of

Operation, Amendment and Validation) Act, 2019. The constitutional

validity of the said Validation Act was challenged before the Hon'ble

Supreme Court. The Hon'ble Supreme Court by the judgment dated

29.06.2021 in *G. Mohan Rao v. State of Tamil Nadu*, upheld the validity

of the Act. Subsequently, further challenge was made before the Hon'ble

Supreme Court in C.S. *Gobalakrishnan v. State of Tamil Nadu*, and the

Hon'ble Supreme Court further reaffirmed the validity. In view of the

above legal position, the present challenge made by the petitioners on the

ground that no rules were framed after the Validation Act to provide for

rehabilitation and resettlement cannot be sustained. It is evident that the

relevant Rules had already been framed in the year 2017, and once the

parent Act was revalidated, the existing Rules automatically became

applicable. Therefore, the first part of the prayer in WP(MD)No.29208 of

2024, to declare the Provisions under section 4(2) and 4 (3) of The Tamil

Nadu Acquisition of Land for Industrial Purposes Act, 1997 to the extent

that without confirming to the safeguards provided under section 38 along

with Schedule 2 and Schedule 3 of The Right to Fair Compensation and

Transparency in Land Acquisition, Rehabilitation and Resettlement Act

2013 and the Revival Act 38 of 2019, as null and void and ultravires of the



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Constitution, deserves to be rejected and consequently, their alternative prayer to harmoniously construct the provisions of Section 38 along with Schedule 2 and Schedule 3 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 have to be read together with The Revival Act 38 of 2019 and Section 4 (2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 to provide the Rehabilitation and Resettlement before resorting to eviction under section 4 (2) and 4 (3) of The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, has no legs to stand and deserves to be rejected. Therefore, the provisions of the Central Act of 2013 have no application to the acquisition proceedings which had already been initiated and substantially completed under the earlier enactment, the question of applying the provisions relating to rehabilitation and resettlement under the Central Act, 2013, does not arise.

15.The learned Senior Counsel appearing for the petitioners contended that, in view of Section 24 of the Central Act 2013, since the compensation amount was not actually received before commencement of the Act, the petitioners are entitled to claim the benefit of the provisions of the Act, 2013. The learned Additional Advocate General would submit that



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even as per Section 24(1) of the Act, the petitioners are entitled to only

compensation as per the New Act. To appreciate the said contention of the

learned counsel, it is relevant to extract Section 24 of the Act, 2013

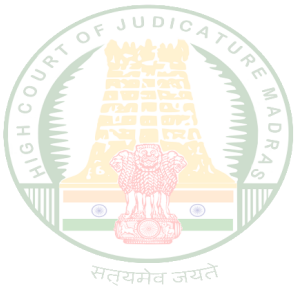
24. Land acquisition process under Act No. 1 of 1894 shall be deemed to have lapsed in certain cases.

(1)Notwithstanding anything contained in this Act, in any case of land acquisition proceedings initiated under the Land Acquisition Act, 1894,-

(a)where no award under section 11 of the said Land Acquisition Act has been made, then, all provisions of this Act relating to the determination of compensation shall apply; or

(b)where an award under said section 11 has been made, then such proceedings shall continue under the provisions of the said Land Acquisition Act, as if the said Act has not been repealed.

(2)Notwithstanding anything contained in sub-section (1), in case of land acquisition proceedings initiated under the Land Acquisition Act, 1894, where an award under the said section 11 has been made five years or more prior to the commencement of this Act but the physical possession of the land has not been taken or the compensation has not been paid the said proceedings shall be deemed to have lapsed and the appropriate Government, if it so chooses, shall initiate the proceedings of such land acquisition afresh in accordance with the provisions of this Act:Provided that where an award has



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been made and compensation in respect of a majority of land holdings has not been deposited in the account of the beneficiaries, then, all beneficiaries specified in the notification for acquisition under section 4 of the said Land Acquisition Act, shall be entitled to compensation in accordance with the provisions of this Act.

16. On reading the entire gamut of Section 24 of the Act 2013, it is mandate on the part of the acquisition body to award the compensation as per the New Act and did not confer any right of getting resettlement and rehabilitation as argued by the learned Senior counsel appearing for the petitioners. Therefore the argument of the learned Senior counsel all provisions of the Act, 2013, are applicable to the writ petitioners and thereby they are entitled to receive monetary compensation as mentioned in the Schedule 1, rehabilitation and resettlement as stated in the Schedule 2 and infrastructure amenities as provided in Schedule 3 is misconceived one. Entire gamut of Section 24 of the Act, confers only entitlement of compensation under the New Act. They never discuss about the rehabilitation and resettlement entitlement. Further in this case, even as per the averment in the writ petition, acquisition proceedings were completed through the initial acquisition notification in the year 2009.



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Therefore, this Court holds that they are not entitled to receive any rehabilitation and resettlement measures as claimed by the writ petitioners.

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17.The learned Senior counsel appearing for the writ petitioners would submit that number of the petitioners nearly around 33 persons have not not received the compensation. But, the learned Additional Advocate General disputed the same and he would submit that some of the land owners are yet to receive compensation for the reason that there is a pending internal dispute between them to receive the compensation. Even otherwise, they are entitled to receive the compensation as per the New Act from the authorities upon proof of their entitlement. In view of the above discussion, this Court holds that Section 24 of the Act, has no application and the claim of the petitioners seeking the benefit of rehabilitation and resettlement under the Central Act is devoid of merit and cannot be sustained in law.

18.It is true that certain subsequent notifications were issued in the form of addendum after the commencement of the Act, 2013, relating to the valuation of buildings and trees standing on the acquired lands. However, such addendum are merely classificatory in nature and issued for the limited purpose of specifying and quantifying compensation payable



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for the superstructures and trees covered under the earlier acquired lands.

These addendum do not amount to initiation of fresh acquisition proceedings, nor do they alter the legal character of the acquisition already completed under the earlier enactment. Therefore, this Court is unable to accept the contention of the learned Senior Counsel appearing for the petitioners that the petitioners are entitled to claim the benefits of the rehabilitation and resettlement scheme contemplated under the Act, 2013.

19.The petitioner in the writ petitions admitted that acquisition proceedings were completed and also accepted receipt of compensation as per the new Act except few persons. Though the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 are not strictly applicable to the present acquisition proceedings, the Government, considering the peculiar facts and circumstances of the case, has extended the benefit of enhanced compensation in line with the principles embodied in the said Central Act, 2013. However, despite receiving the compensation, the petitioners have continued to remain in possession of the property and have intentionally evaded vacating the premises. Therefore, the authorities issued the notice vide dated 22.01.2024, 28.06.2024 and 28.10.2024 for eviction. The same was opposed by the petitioner by filing the writ petition claiming



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rehabilitation and resettlement with a house and agricultural lands without

any right under the Act, 2013. The acquisition proceedings had already

been substantially completed in respect of more than 90% of the lands

much prior to the year 2010. The petitioners alone stalled the acquisition

prevented the authorities from taking possession of the remaining lands till

the stay order granted by this Court on 20.11.2024. In view of the

pendency of the writ petitions and in order to address the grievances of the

petitioners, the Government, as a special measure and by way of equitable

consideration, took a policy decision to allot two cents of developed land

near the petitioners' native village ie., Perungudi Village and also

undertook to assist in the construction of residential houses under a special

rehabilitation scheme, namely, "Kalaigharin Kanavu Illam". An affidavit

dated 10.02.2026 to that effect has also been filed on behalf of the

Government. Even as per the statements furnished by the petitioners

themselves, none of the acquired lands were agricultural lands. There is

absolutely no material placed before this Court to establish that the

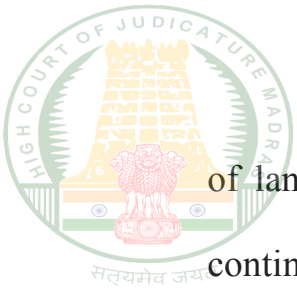
petitioners were carrying on agricultural activities in the acquired lands or

that their livelihood was dependent upon agricultural operations. On the

contrary, the records reveal that the lands acquired from the petitioners

were primarily house sites and residential house measuring a small extent.

Therefore, the contention of the petitioners seeking allotment of two acres



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of land is concerned, this Court finds no merit in the said claim. Their continuous objection in preventing the taking over of the possession in spite of the offering of the government to provide 2 cents of land with further undertaking to construct the house under the special scheme, establishes their clear intention to obstruct the project without any bona fides under the guise of the caste with vested interest. This Court finds every reason to reject the prayer of the writ petitioner to give resettlement and rehabilitation on the ground that the act of the writ petitioner to occupy the land after the receipt of the compensation and opposing the authorities to take over the possession under the guise of the caste, is nothing but abuse of process of law and also amounts to unjust enrichment and also justified the communication of the respondent to evict the petitioner by using force, which is permissible as per Section 4(3) of the State Act, 10 of 1999 as extracted below:

*(3) If any person refuses or fails to comply with an order made under subsection (2), the Collector may take possession of the land, and may, for that purpose, **use such force as may be necessary.***

20. In this case, from the above discussion, it is clear that the Government has acted in a fair, reasonable, and magnanimous manner in granting additional compensation as per the Central Act, 2013, and also



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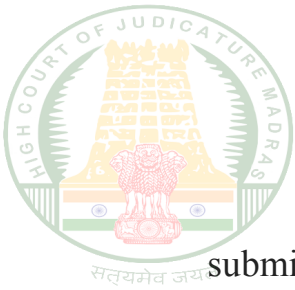
undertook to provide alternative house sites to the petitioners. In view of above extraordinary circumstances of the present case, this court has applied the foundational principle of Utilitarianism of “Bentham and Mill” that “greatest good for the greatest number of people” on the basis of the following legal maxims:

Necessitas Publica est major quam private (Public necessity is greater than private)

Salus populi (est) suprema lex (The welfare of the public is the supreme law)

21. Therefore, this Court without any reservation is inclined to dismiss the writ petition in WP(MD)Nos.29208 and 27922 of 2024. **Accordingly, the WP(MD)Nos.29208 and 27922 of 2024 are dismissed with the following directions:-**

i) The writ petitioners in both writ petitions in WP(MD)Nos.29208 and 27922 of 2024 are hereby directed to vacate the premises within 2 weeks from the date of receipt of a copy of this order, otherwise it is open to the government to take the possession by using force as authorised under Section 4 of the State Act, 10 of 1999.



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ii) The writ petitioners in both writ petitions are hereby directed to submit their consent letter to the Collector, Madurai District, to receive 2 cents lands as offered by the government within 2 weeks from the date of receipt of a copy of this order.

iii) This Court also further directs the Collector, Madurai District, to allot the 2 cents of land within the further period of 2 weeks from the date of receipt of the consent letter from each individuals and upon consideration of their eligibility, allot the same. We further direct the authorities to issue necessary orders for construction of the house under the scheme at the cost of the State as agreed before this Court. No costs. Connected miscellaneous petitions are closed.

22. Discussion in WP(MD)No.28131 of 2024:-

22.1. The writ petitioner in WP(MD)No.28131 of 2024 has filed this petition to issue a Writ of Mandamus directing the respondents to release the petitioner's house site in Survey No.457 (1A4) admeasuring 0.24.0 Hectares i.e. 15 cents 6600 feet in Ayanpakkudi Village, Madurai South Taluk, Madurai District from the acquisition process of extension of commercial activities for Madurai Airport by considering his representation dated 19.09.2024 given U/S 101 of the Right to Fair



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Compensation and Transparency in Land Acquisition, Rehabilitation and
resettlement Act, 2013.

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22.2. The learned counsel appearing for the writ petitioner would submit that he was the owner of the acquired 6600 sq.ft out of 15 cents in Ayyanpapagudi Village and the land was acquired on 16.02.2019 and compensation was paid Rs.14,29,741/-. He had filed the LOP.No.249 of 2019 on the file of the III Additional Sub Judge, Madurai, and enhanced compensation was received. But, enhanced compensation was not reasonable and hence, he claimed repossession of the land under Section 101 of the Central Act, 2013 and hence, he made the representation and filed the writ petition to release his land from the acquisition.

22.3. The learned Additional Advocate General would submit that firstly, Section 101 of the Central Act, 2013 has no application and the acquired land is not treated as unutilized land and after receipt of the compensation and possession was taken, the petition is misconceived one.

22.4. This Court has no option except to accept the argument of the learned Additional Advocate General and dismiss the writ petition in WP(MD)No.28131 of 2024. The petitioner has received the compensation



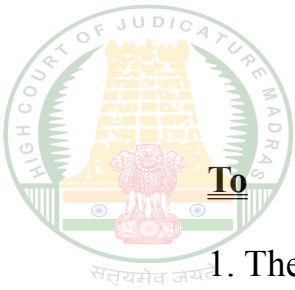
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and possession was taken and enhanced compensation also received and therefore the claim of releasing the land under Section 101 of Central Act, 2013, is misconceived. The claim of the petitioner is not bona fide in view of the non applicability of the Section 101 of the Central Act, 2013, going by the facts and circumstances of the case. Hence, this Court is inclined to dismiss this petition.

22.5. Accordingly, the writ petition in WP(MD)No.28131 of 2024 is dismissed. Consequently, the connected miscellaneous petitions are closed.

[G.J., J.] & [K.K.R.K., J.]
27.02.2026

NCC : Yes
Index : Yes/No
Internet : Yes
ebsi/sbn



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To

1. The Principal Secretary
Revenue and Disaster Management Department
Fort St. George, Secretariat
Chennai - 600 009.

2. The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai -600 005.

3. The District Collector,
Madurai District,
Madurai.

4. The District Revenue Officer
Madurai District,
Madurai.

5. The Special Tahsildar
Unit 1, Land Acquisition (Airport Expansion)
Madurai Collectorate,
Madurai District.

6. The Chairman,
Airports Authority of India
Rajiv Gandhi Bhawan
Safdarjung Airport
New Delhi - 110 003.

7. Airport Director
The Airports Authority of India
Madurai Airport,
Madurai.

8. The Secretary
The Ministry of Civil Aviation
The Government of India
Rajiv Gandhi Bhawan
Block B, Safdarjung Airport Area
New Delhi 110003.

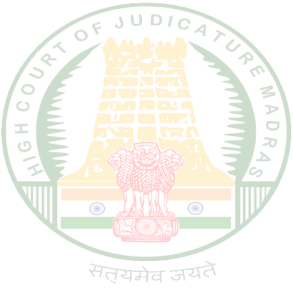


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9. The Secretary,
Government of Tamil Nadu
Department of Industries
Investment Promotion and Commerce
Fort St.George
Chennai 600 009.

10. The Senior Manager
Airport Authority of India
Madurai Airport,
Madurai District.

11. The Special Tahsildhar (L.A)
Airport Extension
Unit-I
Madurai 625 020.



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DR.G. JAYACHANDRAN, J.
AND
K.K. RAMAKRISHNAN, J.

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29208 of 2024

27.02.2026