

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.10859/2024
(@Petition for Special Leave to Appeal (C) No.3083/2019)

TAMIL NADU HOUSING BOARD & ANR.

Appellant(s)

VERSUS

A.R.K. VARADARAJAN & ORS.

Respondent(s)

O R D E R

1. Leave granted.
2. The impugned order dated 06-02-2018 passed by the High Court of Judicature at Madras, whereby the Writ Appeal No.19/2018 filed by the appellants - herein was dismissed, is under challenge before this Court.
3. Having heard the learned counsels for the parties at length and carefully perusing the material placed on record, it appears that the High Court had declared the acquisition proceedings in question as lapsed in view of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. However, it is not disputed by the learned counsels for the parties that in view of the later decision in the case of "Indore Development Authority vs. Manoharlal And Ors. Etc." reported in (2020) 8 SCC (129), the matters are required to be remitted to the High Court for fresh consideration.

4. In view of the above, the impugned order passed by the High Court is set aside and the matter is remitted to the High Court for fresh consideration in the light of the Judgment in the case of Indore Development Authority (supra).

5. It is clarified that all contentions are kept open to be raised by both the parties as may be legally permissible.

6. The appeal stands disposed of in above terms.

.....J
(BELA M. TRIVEDI)

.....J
(SATISH CHANDRA SHARMA)

NEW DELHI;
23RD SEPTEMBER, 2024.

ITEM NO.50

COURT NO.13

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.3083/2019

(Arising out of impugned final judgment and order dated 06-02-2018 in WA No. 19/2018 passed by the High Court of Judicature at Madras)

TAML NADU HOUSING BOARD & ANR.

Petitioner(s)

VERSUS

A.R.K. VARADARAJAN & ORS.

Respondent(s)

(IA No. 92756/2019 - RECALLING THE COURTS ORDER)

Date : 23-09-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE BELA M. TRIVEDI

HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s)

Mr. M. Yogesh Kanna, AOR

Ms. G. Indira, AOR

Mr. P Gandepan, Adv.

For Respondent(s)

Mr. Balaji Srinivasan, AOR

Ms. Harsha Tripathi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeal stands disposed of, in terms of the signed order.
3. Pending application also stands disposed of.

(VISHAL ANAND)

ASTT. REGISTRAR-cum-PS

(MAMTA RAWAT)

COURT MASTER (NSH)

(Signed Order is placed on the file)