

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) 501 of 2025**

1. Sri. Amar Jamatia
S/O Lt. Ananda Kumar Jamatia, Resident of Khamar Bari, P.S-
Teliamura District- Khowai Tripura.
2. Sri. Pancha Manik Jamatia, 55 year
3. Smti Tribeni Jamatia, 42 years.
4. Smti Bibhu Jamatia 36year
5. Smti Jagat Jamatia 59 years
6. Smti Smriti Rani Jamatia 53 years
7. Smti Kanamlati Jamatia 50 years
8. Smti Jagat Kanya Jamatia 59 years,
All are sons and daughter of late Ananda Kr. Jamatia and late Lalita
Rani Jamatia, residents of village- Khamarbari, PS-Teliamura, P.O-
Hadrai, District- Khowai, Tripura state.
The petitioner Nos. 2 to 8 are represented through their Attorney Sri
Amar Jamatia, the petitioner No-1.

..... *Petitioners*

VERSUS

1. The State of Tripura
represented by the Secretary, Revenue Department, Govt. of Tripura,
Civil Secretariat, New Capital Complex, P.O- Kunjaban, 799010, P.S-
New Capital Complex, West Tripura.
2. The District Magistrate & Collector,
Khowai District, P.O & PS- Khowai Tripura State.
3. The Land Acquisition Collector,
Khowai District, PO & PS – Khowai , Tripura State,

.....*Respondents*

For the Petitioner(s)	: Mr. D. C. Roy, Advocate.
For the Respondent(s)	: Mr. M. Debbarma, Addl. G.A.

**BEFORE
HON'BLE JUSTICE DR. T. AMARNATH GOUD
ORDER**

15.09.2025

[1] Heard learned counsel appearing for the respective parties.

[2] This present writ petition is filed under Article 226 of the Constitution of India seeking the following reliefs:

“a. Admit this Writ Petition

b. Issue notice upon the respondents

c. Call for the records and

d. After hearing the parties be pleased to direct the respondents to pay adequate compensation with 12% interest per annum to the petitioners for acquisition of land.

e. And would be further pleased to refer the matter before the Land Acquisition to determine the proper compensation.

AND/OR

f. To pass any other order/orders as your Lordship may deem fit and proper.”

[3] It is the case of the petitioners that the petitioners are the survival legal heirs in respect of scheduled property, where the property was originally in the name of their father and the said land was acquired under the Land Acquisition Act, to which on 11.06.2018 at 11AM as per the notice of the respondent, the petitioners appeared and it is stated in the affidavit that they had no objection for said acquisition but prayed for fair compensation to be paid. In this regard, it is their case that since no compensation was made, and they filed Khatian and also got issued a legal notice on 08.09.2023 and to which the respondents have not acted upon to make any such payment.

[4] Admittedly, the petitioners are the legal heirs of their father and they have also filed survival certificate enclosing Khatians and also got issued legal notice seeking fair compensation .

[5] It is to be observed from the record and even from the submission of the learned counsel of the petitioners that nowhere it is stated that they are holding lawful alienable title and are having sale deeds or proper document/judgment or decree obtained from the concerned Court to say that they have legal alienable right and are entitled for compensation for the said property.

[6] This Court in several matters has held that mere claiming compensation on the strength of any Khatians does not confer any title.

In the event, if a person is occupying a land for prolonged period that would only confirm right of possession through adverse possessions if the competent Court of law gives a judgment to that effect.

[7] Here in this case, the petitioners have not made any such claim before the respondents seeking compensation towards the acquired land. In the absence of such, this Court is not ready to agree with the argument of the learned counsel of the petitioners and this Court declines to grant any relief in this regard for payment of compensation.

[8] However, in view of the argument advanced by the learned counsel of the petitioners that the respondents have not communicated to the petitioners with regard to any such compensation that they have decided after the land was acquired, this Court directs the respondents to communicate their decision to the petitioners by addressing their legal notice dated 08.09.2023 within a period of two months from the date of receipt of the copy of this order in accordance with law.

[9] With the above observation and direction, this present writ petition stands dismissed. As a sequel, miscellaneous application(s), pending if any, shall stand closed.

DR. T.AMARNATH GOUD,J

Paritosh

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