IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.03.2016

Coram

The Hon'ble Mr.Justice T.S.SIVAGNANAM

Writ Petition No.37593 of 2015

P.Murthy ...Petitioner

Vs.

1.The Collector of Cuddalore
Cuddalore District

2.The Special Thasildar
Land Acquisition No.III,
Neyveli-2, Cuddalore District

3.The Managing Director
Neyveli Lignite Corporation
Neyveli-II, Cuddalore District. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to provide fair compensation for the lands of the petitioner comprised in an extent of 0.41.5 comprised in Survey No.3/4, in an extent of 0.16.0 comprised in Survey No.3/8 in an extent of 0.15.0 comprised in Survey No.3/9 in an extent of 0.09.5 comprised in Survey NO.3/10 in an extent of 0.21.5 comprised in Survey No.3/11 in an extent of 0.09.5 comprised in Survey No.3/12 at Valayamadevimelpathi Village,Virudhachalam Taluk, Cuddalore District without due process of law or under the Tamil Nadu Acquisition of land for industrial purposes Act 1997 for the Industrial purposes 1997 under the Right to Fair Compensation Act 2015.

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For Petitioner : Mr.R.Karunagaran

For Respondents : Mr.Rajeswaran, Spl.G.P for R1 and 2
Mr.N.Nithianandam for R3

O R D E R

Admittedly, the lands which were acquired from the petitioner's father was done in accordance with law and compensation was awarded in 2008. Being unsatisfied with the

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amount, the petitioner's father sought for enhancement of compensation and ultimately before Lok Adalat a sum of Rs.13,28,578/- was paid as full and final settlement and the petitioner's father was a signatory to the said Lok Adalat settlement which occurred on 05.03.2012.

2. After a period of three years, now the petitioner has sent a representation that too after the demise of his father claiming interest. The award passed in Lok Adalat in Case No.141/12 binds the land owner who is the petitioner's father and he was satisfied with the amount of compensation paid and he was signatory to the Lok Adalat proceedings. During his life time he took no steps to reopen the proceedings nor did the petitioner's father plead any fraud. In such circumstances, the present attempt by the petitioner is thoroughly misconceived.

Accordingly, the Writ petition fails and is dismissed. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1.The Collector of Cuddalore
Cuddalore District

2.The Special Thasildar
Land Acquisition No.III,
Neyveli-2, Cuddalore District

3.The Managing Director
Neyveli Lignite Corporation
Neyveli-II, Cuddalore District.

1 cc to Government Pleader, Sr. 13705
1 cc to Mr.N. Nithianandan, Advocate, Sr. 13368

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