

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 31-03-2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.9712 OF 2015

&

MP No. 2 of 2015

K.Muthuvel

...

Petitioner

-vs-

- 1.The Government of Tamilnadu
Rep. by its Secretary to Government,
Animal and Husbandary, Dairying and Fisheries
Department,
Fort St.George,
Chennai-600 009.
- 2.The Government of Tamilnadu
Rep. by its Secretary to Government,
Revenue Department,
Fort St.George,
Chennai-600 009.
- 3.The Principal Secretary /
Commissioner for Land Administration,
Fort St.George,
Chennai-600 009.
- 4.The Additional Chief Secretary/
Commissioner for Land Administration
Ezhilagam, Chepauk,
Chennai-600 005.
- 5.The Land Acquisition Officer/
Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Nagapattinam.

...

Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorari to call for the records relating to the Government Order in G.O.Ms.No.88 Revenue Department LA-1(1) dated 21.02.2014 passed by the 2nd respondent and the consequential so called interim compensation proceedings in Na.Ka. 8394/2011/A3 dated 13.09.2014 and Award No.01/2014 dated 21.08.2014 passed by the 5th respondent and to quash the same.

For petitioner : Mr.C.Prabakaran

For respondents : Mr.R.M.Muthukumar,
Govt.Advocate,

ORDER

In this Writ Petition, the petitioner, who is the land owner, has challenged the Government Order in G.O.Ms.No.88, Revenue Department LA-1(1), dated 21.02.2014, and the consequential proceedings of the fifth respondent/Land Acquisition Officer, leading to interim awards.

2. Learned counsel on either side submits that issue involved in this writ petition is squarely covered by the decision of this Court in W.P.Nos.3485 TO 3489 & 3869 OF 2015 by order dated . In the said case an indential relief was sought for and after considering the submission of either sides, this Court has partly allowed the Writ petitions. The operative portion of the said order reads as follows:

" ..4. Learned Government Advocate, on instructions from the officials, who are present in the Court, submitted that the respondents will not enforce the impugned proceedings, but they will grant compensation to the petitioners/land owners, by computing the same in accordance with the provisions of Act 30 of 2013, and, until the entire compensation is paid as prescribed under the Act, the petitioners will not be dispossessed from the lands in question.

5. Following the decision of this Court in A.Sankara Subbu, cited supra, and in the light of the stand taken by the respondents, which has been noted above, these Writ Petitions are partly allowed and the interim awards are quashed, in so far as the petitioners are concerned. The respondents are directed to pay compensation to the petitioners, as agreed to by them, under Act 30 of 2013, and until the compensation is paid in its

entirety, the petitioners shall not be dispossessed from the lands in question. No costs. Consequently, the connected Miscellaneous Petitions are closed. "

In view of the above, the writ petition is partly allowed and the interim awards are quashed, in so far as the petitioner is concerned. The respondents are directed to pay compensation to the petitioners, as agreed to by them, under Act 30 of 2013, and until the compensation is paid in its entirety, the petitioner shall not be dispossessed from the lands in question. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

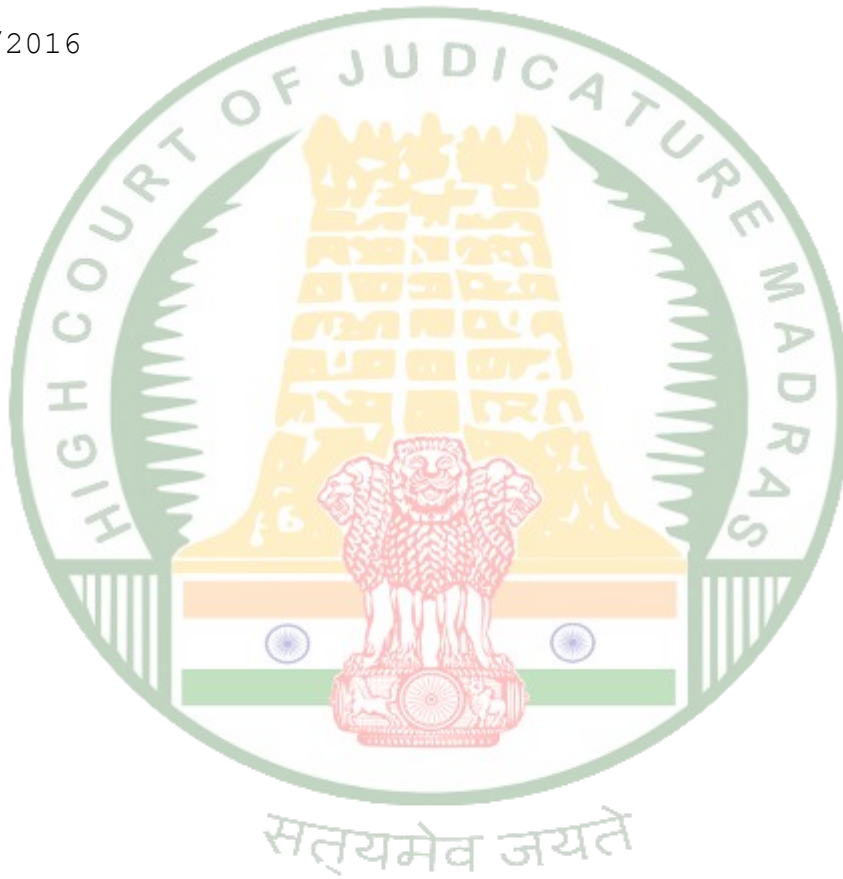
1. The Secretary to Government,
The Government of Tamilnadu,
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Department,
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Chennai-600 009.
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5.The Land Acquisition Officer/
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Office of the Revenue Divisional Officer,
Nagapattinam.

+1cc to C.Prabakaran, Advocate Sr.20807
+1cc to The Government Pleader Sr.20530

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srg 20/04/2016



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