

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:26.07.2016

CORAM

The Honourable MR. JUSTICE N.KIRUBAKARAN

W.P.No.25987 of 2016

N.B.Ranganadhan

[ Petitioner ]

Vs

1 The Principal Secretary  
(Land Acquisition)  
Government of Puducherry  
Puducherry

2 The Director  
Local Administration Department  
Puducherry

3 The Commissioner  
Villinur Commune Panchayat  
Villinur  
Puducherry

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the Respondents to pass suitable orders on the representation filed by the petitioner dated 23.11.2015 and refer the matter under Section 30 of Land Acquisition Act 1894 in a time bound period.

For Petitioner : Mr.K.Mohanamurali

For Respondents : Mr.C.T.Ramesh, AGP

ORDER

The writ petition has been filed for the issuance of a writ of mandamus directing the respondents to pass suitable orders on the representation filed by the petitioner dated 23.11.2015 and refer the matter under Section 30 of Land Acquisition Act 1894 in a time bound period.

2. Mr.C.T.Ramesh, learned Additional Government Pleader takes notice for the respondents 1 to 3.

3.1 The petitioner purchased the lands comprised in R.S.No.178/1, 178/3, 178/4 of Villunur Commune, Puducherry, by virtue of a sale deed dated 10.03.1982. However, the said

land was required for public purpose viz., Burial ground by the Government. The extent of land demarcated for that purpose is 2052 sq.m or 22080 sq.ft. By the same proceedings, it has been stated that GLR value as per G.L.R. Register 2011-12 is Rs.280/sq.ft. and therefore, a sum of Rs.61,82,400/- was fixed. Subsequently, the petitioner executed a sale deed dated 05.06.2015 in favour of Villianur Commune Panchayat for a sum of Rs.51,90,480/-. The schedule annexed to the said Sale Deed is as follows:-

"In the Registration District of Pondicherry, in the Registration Sub-District of Villianur, in Villianur Commune Panchayat Limits, in Village No.32, Villianur Revenue Village in Cadastre No.375/1 pt. R.S.No.178/1 (12.52 acres) and 178/4 (7.58 acres) having a total extent of 20.10 ares comprised in patta No.859.

| Boundaries for<br>R.S.No.178/1       | Boundaries for<br>R.S.No.178/4 |
|--------------------------------------|--------------------------------|
| North-R.S.No.181                     | North R.S.No.178/3/34          |
| South -R.s.No.178/2,<br>178/3        | South - R.S.No.178/5           |
| East -<br>R.S.No.178/3/21.178/2<br>2 | East - R.S.No.179              |
| West - R.S.No.177                    | West - R.S.No.178/2            |

3.2 Thereafter, the petitioner gave a representation on 23.11.2015 stating that the actual amount due to him is Rs.1,35,70,560/-, as per the market value, valued at Rs.380 per square feet and after deducting a sum of Rs.51,90,480/- which was already paid to him, he requested for the balance amount of Rs.83,80,080/-. Since the said representation has not been disposed of till date, the petitioner is before this Court.

4. Heard Mr.K.Mohanamurali, learned counsel for the petitioner and Mr.C.T.Ramesh, learned Additional Government Pleader (Pondicherry) for the respondents.

5. It is evident from the proceedings of the Commissioner, Villianur Commune Panchayat dated 16.03.2012 that a sum of Rs.280/- was fixed as GLR value per sq.ft for the lands belonging to the petitioner comprised in R.S.Nos.178/1, 178/3, 178/4, Villianur, to an extent of 2052 sq.m. or 22080 sq.ft. and the value was determined at Rs.61,82,400/-. However, the sale deed dated 05.06.2015 speaks about sale consideration of Rs.51,90,480/- for the land conveyed to an extent of 20.10 Ares comprised in patta No.859. It is not clear as to whether an extent of 2052 sq.m. or 22080 sq.ft. as stated in the proceedings dated 16.03.2012 is

6. Therefore, this writ petition is disposed of by directing the respondents 2 and 3 to verify with regard to the extent of lands which are acquired from the petitioner with a further direction to dispose of the representation of the representation of the petitioner dated 23.11.2015, within a period of six weeks from the date of receipt of a copy of this order, after giving notice to him. No costs.

Sd/-  
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Principal Secretary  
(Land Acquisition) Government of Puducherry  
Puducherry
- 2 The Director  
Local Administration Department Puducherry
- 3 The Commissioner  
Villinur Commune Panchayat Villinur  
Puducherry

+1cc to Mr.K. Mahanamurali, Advocate, S.R.No.42120

+1cc to the Government Pleader, S.R.No.42600

PA(CO)  
EU(08/08/2016)

सत्यमेव जयते

W.P.No.25987 of 2016

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