

W.P.No.26858, 26859 & 35952 of 2016

N.KIRUBAKARAN, J

Since the order passed by this Court on 24.03.2017 was not complied with either by redetermining the compensation payable to the petitioners and other farmers, as per the guidelines issued by the Central Government dated 15.10.2015 or by the presence of the official respondents, this Court was constrained to issue a Non-Bailable Warrant against the official respondents in the morning session.

2.However, by 1.30 P.M, Mr.C.Manishankar, learned Additional Advocate General assisted by Mr.Jaiprakash Narayan, learned Special Government Pleader made a plea to recall the order of arrest passed by this Court stating that the order passed by this Court would be complied with at the earliest point of time. But since the learned counsel for the petitioner was not present, this Court had passed over the matter and called the matter by 2.30 P.M.

3.Though Mr.M.R.Jothimanian, learned counsel for the petitioners would oppose to recall the order of arrest, this Court is inclined to take into consideration of the assurance given by Mr.C.Manishankar, learned Additional

Advocate General stating that the order of this Court would be complied with. The respondents should understand the difficulties of the villagers belonging to Kayar and Vembedu villages whose lands are affected by drawing of high tension electricity cable over and above their property. Further, the order was passed on 16.08.2016 and it was further clarified on 19.08.2016 and a final chance was given on 24.03.2016 to redetermine the amount by 15.04.2017, failing which the respondents were directed to be present before this Court.

4. Even though the matter was listed twice after 15.04.2017, no redetermination was made as per the order of this Court and therefore, the matter has come up before this Court today. The original order was passed on 16.08.2016 and more than nine months have passed away and still the order of this Court has not been complied with. Only when the grievances of the citizens were not properly addressed by the official respondents, the petitioners are compelled to come before this Court. However, even after obtaining orders from this Court nine months ago, the petitioners are unable to enjoy the fruits of the order, which will make the citizens to lose faith in the justice delivery system. Therefore, the official respondents are expected to follow the directions issued by this Court very seriously.

5. Thus, based on the assurance given by the learned Additional Advocate General and the learned Special Government pleader that the order passed by this Court would be complied with, this Court suspends the order of arrest and the matter is posted on 23.06.2017.

6. It is made clear that on the said date, the order passed by this Court regarding redetermination of compensation payable to the petitioners should have been complied with failing which the order of arrest which has been suspended would automatically revive.

Call the matter on 23.06.2017.

14.06.2017

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Note : Issue today

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Dated : 14.06.2017

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