

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.Nos.39208 to 39220 and 39916 to 39927 of 2016

P.Kuppannan	...	Petitioner in W.P.No.39208/2016
S.Syed Ghousl	...	Petitioner in W.P.No.39209/2016
S.Indhira	...	Petitioner in W.P.No.39210/2016
M.Sabrabi	...	Petitioner in W.P.No.39211/2016
S.Amudha	...	Petitioner in W.P.No.39212/2016
R.Annapurani	...	Petitioner in W.P.No.39213/2016
K.Anjhapuli	...	Petitioner in W.P.No.39214/2016
K.Nandhakumar	...	Petitioner in W.P.No.39215/2016
K.Ponni	...	Petitioner in W.P.No.39216/2016
A.Manoharan	...	Petitioner in W.P.No.39217/2016
S.Punidha	...	Petitioner in W.P.No.39218/2016
C.Annamalai	...	Petitioner in W.P.No.39219/2016
V.K.Munusamy Gounder	...	Petitioner in W.P.No.39220/2016
J.Karthi	...	Petitioner in W.P.No.39916/2016
P.Elumalai	...	Petitioner in W.P.No.39917/2016
S.Selvaraj	...	Petitioner in W.P.No.39918/2016
N.Rajendiran	...	Petitioner in W.P.No.39919/2016
S.Sivakumar	...	Petitioner in W.P.No.39920/2016
M.Munishwaran	...	Petitioner in W.P.No.39921/2016
M.Sumathi	...	Petitioner in W.P.No.39922/2016
P.Sankar	...	Petitioner in W.P.No.39923/2016
C.Santhi	...	Petitioner in W.P.No.39924/2016
M.Dhanam	...	Petitioner in W.P.No.39925/2016
R.Kanchana	...	Petitioner in W.P.No.39926/2016
V.Manickam	...	Petitioner in W.P.No.39927/2016

Vs.

- 1 The District Collector cum
Arbitrator Office of District Collector
Villupuram District
- 2 The Special Tahsildar (Land Acquisition)
Tindivanam
Villupuram District ... Respondents in all WPs

Writ Petitions are filed Under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining impugned orders passed by the 1st Respondent in

Na.Ka.Aa2/17301/2016, Na.Ka Aa2/17303/2016,
Na.Ka Aa2/17304/2016, Na.Ka.Aa2/17305/2016,
Na.Ka Aa2/17307/2016, Na.Ka Aa2/17308/2016,
Na.Ka Aa2/17309/2016, Na.Ka Aa2/17310/2016,
Na.Ka Aa2/17311/2016, Na.Ka Aa2/17312/2016,
Na.Ka Aa2/17313/2016, Na.Ka Aa2/17314/2016,
Na.Ka Aa2/17316/2016, Na.Ka Aa2/17317/2016,
Na.Ka Aa2/17318/2016, Na.Ka Aa2/17319/2016,
Na.Ka Aa2/17320/2016, Na.Ka Aa2/17322/2016,
Na.Ka Aa2/17323/2016, Na.Ka Aa2/17324/2016,
Na.Ka Aa2/17326/2016, Na.Ka Aa2/17325/2016,
Na.Ka Aa2/17327/2016, Na.Ka Aa2/17328/2016,

Na.Ka Aa2/17329/2016, respectively dated 08.08.2016 and quash the same as illegal, unfair and arbitrary and further direct the 1st respondent to furnish to the petitioner a certified copy of award claimed to have passed by her in Na.Ka (Arbit) AA2/19725/2013 dated 24.11.2015 within a time frame as may be fixed by this Honourable Court.

For Petitioners : Mr.R.Veeramani
For Respondents : Mr.T.M.Pappiah, SGP

COMMON ORDER

The petitioners lands were acquired by the authorities for expansion of National Highways No.66 (Tindikvanam-Krishnagir Section). The land acquisition was made in the year 2013. The original authority fixed Rs.25/- per sq.ft. as compensation by award dated 30.09.2013. Not satisfied by that, the petitioners moved the 1st respondent. Subsequently, the petitioners understand that the 1st respondent marginally enhanced the compensation, however, no award copy was served upon the petitioners. Apart from that, without even serving copies of the award, the respective compensation amounts have been deposited in the respective petitioners' account, which were obtained at the time of enquiry by the authorities. In this regard, seeking a copy of the award, the petitioners made representations to the 1st respondent on 04.08.2016 and the same have been rejected stating that the copy has already been sent on 09.12.2015. The said orders are being challenged before this Court in these writ petitions.

2. Heard Mr.R. Veeramani, learned counsel for the petitioners and Mr.T.M.Pappiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

3. There is no dispute with regard to the acquisition of lands of the respective petitioners properties. The compensation determined by the lower authority is said to have been enhanced by filing appropriate proceedings before the 1st respondent. The 1st respondent is also said to have passed an award. Though it has been stated that on 09.12.2015 itself, a copy of the award was already sent to the respective petitioners, there is nothing wrong in sending again another copy to the petitioners. Therefore, the orders of rejection denying the copy of the award are set aside and there shall be a direction to the respondents to provide a copy of the award passed by the 1st respondent on or before 21.11.2016. The writ petitions are disposed of accordingly. No costs.

Call the matters on 22.11.2016 for reporting compliance.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1 The District Collector cum,
Arbitrator Office of District Collector,
Villupuram District.
- 2 The Special Tahsildar (Land Acquisition),
Tindivanam,
Villupuram District.

+13 ccs to M/S.R.Veeramani, Advocate Sr.66064
+12 ccs to M/S.R.Veeramani, Advocate Sr.66063
+1cc to the Government Pleader sr.66177
+1cc to the Government Pleader SR.66175

W.P.Nos.39208 to 39220
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For Reporting Compliance: 22.11.2016

gm 1 [co]
srg 23/11/2016