

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.586 of 2017

M.Subramanian

.. Petitioner

-VS-

The Land Acquisition Officer
& Revenue Divisional Officer
(Power Grid Corporation of India Project)
Udayarpalayam, Udayarpalayam Taluk
Ariyalur District .. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 15.11.2016 and pass orders in accordance with law within the time frame as fixed by this Hon'ble Court.

For Petitioner :: Mr.E.K.Kumaresan

For Respondent :: Mr.R.Govindasamy
Special Government Pleader

ORDER

The petitioner claims to be the owner of the lands admeasuring Hec.0.40.0 in S.F.426/13, Hec.0.18.0 in S.F.426/15A, Hec.0.15.0 in S.F.427/5A, Hec.0.21.0 in S.F.427/5B, Hec.0.13.0 in S.F.428/1A, Hec.0.13.0 in S.F.428/1B, Hec.0.24.0 in S.F.428/1C, Hec.0.38.5 in S.F.428/2, Hec.0.18.0 in S.F.428/3, Hec.0.36.0 in S.F.428/4, Hec.0.15.5 in S.F.428/5, Hec.0.16.0 in S.F.428/6, Hec.1.19.0 in S.F.429/1, Hec.0.47.5 in S.F.429/2, Hec.0.41.0 in S.F.429/8, Hec.0.08.0 in S.F.430/2A and Hec.0.60.0 in S.F.430/6 of Pappakudi (South) Village, Udayarpalayam Taluk, Ariyalur District. Since the aforesaid lands were acquired by the respondent for establishing a 765/400 KV cooling station on behalf of the Power Grid Corporation of India in the year 2013 and an interim award was also passed in R.C.No.2031/2011/A3 dated 31.10.2014 in respect of the acquired lands by fixing the compensation amount at Rs.9,25,169/- per hectare, the petitioner had received the said compensation amount under protest by making his objections. When there has been an objection with

regard to the payment of compensation, the respondent is duty bound to pass a final award within a reasonable time or refer the matter to the competent civil Court under Section 18 of the Land Acquisition Act. But the grievance of the petitioner is that even after a lapse of two years from the date of passing the award, the respondent has not come forward to refer the dispute. Therefore, even after issuing the legal notice on 30.6.2016 to the respondent with a request to pass final award or refer the matter under Section 18 of the Land Acquisition Act to the competent civil Court, finding no response, the petitioner has been advised to come to this Court.

2. Mr.R.Govindasamy, learned Special Government Pleader is directed to take notice on behalf of the respondent.

3. Considering the limited prayer made by the petitioner to dispose of his pending representation dated 15.11.2016, the first respondent-Revenue Divisional Officer cum Land Acquisition Officer, Power Grid Corporation of India Project, Udayarpalayam, Ariyalur District is directed to consider the pending representation of the petitioner on merits and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

The Land Acquisition Officer
& Revenue Divisional Officer
(Power Grid Corporation of India Project)
Udayarpalayam, Udayarpalayam Taluk
Ariyalur District

+1cc to Mr.S.K.Kumaresan, Advocate, SR.No.2158

W.P.No.586 of 2017

KS (CO)
GN(02/02/2017)