

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.23962 of 2014

Chennakrishnan
Son of Manicka Mudaliar .. Petitioner

-VS-

- 1.The Special Secretary to Government,
Public Works Department,
Secretariat, Fort St. George,
Madras.
- 2.The District Collector,
Vellore District.
- 3.The Sub Collector,
Tiruppatur,
Vellore District. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to pay compensation for the acquisition of lands belonging to the petitioners as determined by the Sub Court, Tirupattur in L.A.O.P.'s 18 and 36 of 2001.

For Petitioner :: Mr.V.Raghavachari

For Respondents :: Mr.S.T.S.Murthi,
Additional Advocate General,
Assisted by Mr.M.Elumalai,
Government Advocate

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ORDER

The petitioner who is a land loser on account of land acquisition proceedings initiated by the third respondent for Andiappannur Odai Reservoir Project, was made to wait to receive the compensation for about 16 years. The Special Tahsildar (Land Acquisition), Andiyappannur Odai Reservoir Project, Tirupattur had acquired 5.43.0 Hect. of land in Andiyappannur Village, Vaniyambadi Taluk, Vellore District, fixing a compensation at Rs.1,08,969/- per hectare for irrigated dry land and Rs.56,510/- per heclare for manavari dry land.

2. All the land owners moved applications under Section 18 of the Land Acquisition Act, 1894, to refer the matter before the competent Civil Court. After making reference under Section 18 of the Act, the Sub Collector, Tiruppattur has stated that the District Revenue Officer, Vellore District, in his letter dated 05.03.2015, had sent a proposal for sanctioning the enhanced compensation to the Government through the Chief Engineer, Chennai Region, Water Resources Department. Subsequently, the Government in its letter No.6155/T1/2015-1, Public Works Department, dated 23.03.2015 had requested the Chief Engineer, Water Resources Department, Chennai Region, to verify the working sheets and send necessary proposals to the Government. The Chief Engineer, Water Resources Department, Chennai Region, in his letter dated 23.03.2016 had recommended the proposal of the District Revenue Officer, Vellore and thereafter, having examined the said proposal in consultation with the Advisory Departments and the Government, vide letter No.34831/T1/2010-20 dated 14.10.2016 directed the District Collector, Vellore, to obtain the legal opinion from the Special Government Pleader and send his report to the Government.

3. After all these processes, the proposal sent by the District Collector, Vellore, for enhancing the compensation was accepted and the final orders could be passed only after obtaining orders from the Appropriate Authority. Therefore, the learned Additional Advocate General seeks eight weeks time for sanctioning the enhanced compensation to all the land owners.

4. But this Court, keeping in mind that the land was acquired in the year 2001 and the third respondent/the Sub Collector, Tiruppattur, Vellore District has preferred the appeals in A.S.162 of 2006 and 153 of 2007 which were dismissed by way of a common judgment on 23.07.2010 confirming the order of the Sub Court, Tiruppattur, is inclined to grant only four weeks time to the respondents to deposit the entire award amount on the file of Sub Court, Tiruppattur.

5. The personal appearance of Mr. Er. K. Nehru, Special Secretary to Government, Public Works Department, Secretariat, Chennai-600 009, before this Court, pursuant to the order passed on 22.12.2016, is dispensed with.

6. With the above observation, this writ petition stands allowed. No costs.

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar

To

1.The Special Secretary to Government,
Public Works Department,
Secretariat, Fort St. George,
Madras.

2.The District Collector,
Vellore District.

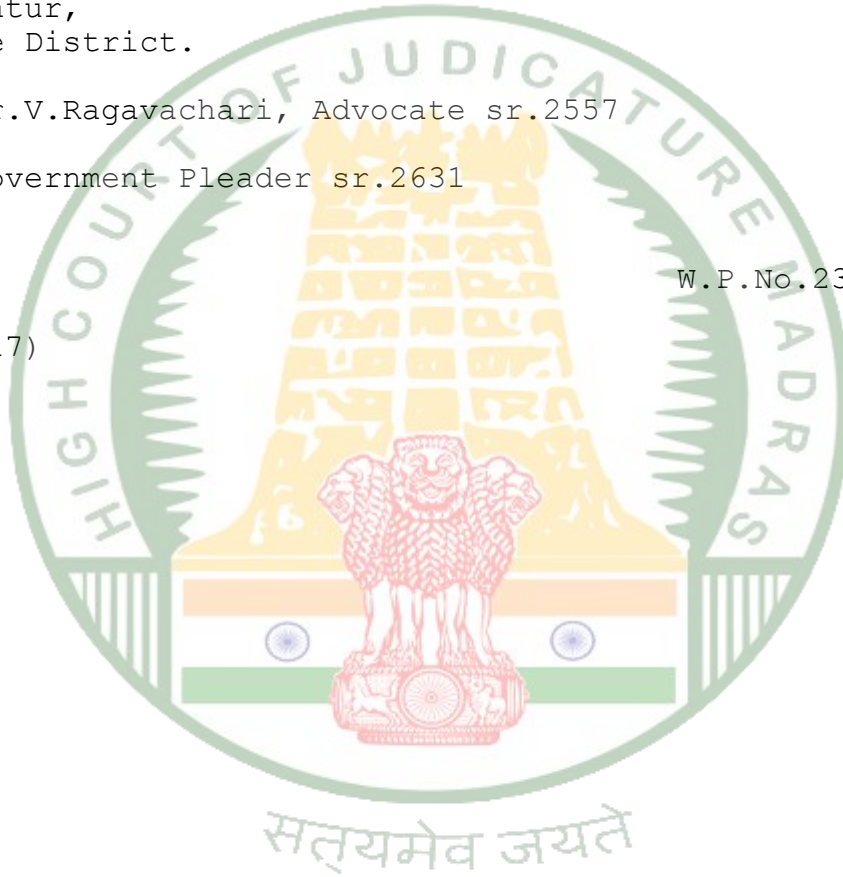
3.The Sub Collector,
Tiruppatur,
Vellore District.

+1cc to Mr.V.Ragavachari, Advocate sr.2557

+1cc to Government Pleader sr.2631

W.P.No.23962 of 2014

kj(co)
ss(6/2/2017)



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