

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.20027 of 2004

C.Sridharan

... Petitioner

Vs.

- 1.The District Collector,
Dheeran Chinnamalai Maligai,
Perundurai Road, Erode District,
Erode - 11.
- 2.The Revenue Divisional Officer,
Brough Road, Erode - 638 001.
- 3.The Executive Engineer & The Administrative Officer,
Tamil Nadu Housing Board, Erode Housing Division,
Gandhiji Road, Erode- 1. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the second respondent to refer the award 1 of 1980 dated 29.02.1980 to the competent Civil Court for the grant of enhanced compensation amount by considering the representations dated 12.04.1980 and 04.08.2003.

For Petitioner : Mr.N.Manokaran

For Respondent : Akhi Akbar Ali,
Government Advocate (For R1 & R2)
Mr.S.Diwakar (For R3)

WEB COPY O R D E R

The petitioner has filed this writ petition to direct the second respondent to refer the award 1 of 1980 dated 29.02.1980 to the competent Civil Court for the grant of enhanced compensation amount by considering the representations dated 12.04.1980 and 04.08.2003.

2.After the land acquisition notice issued under Section 4(1) of the Land Acquisition Act, award has also been passed in

Award No.1/80 dated 29.02.1980 and the petitioner has not questioned the award, as that has become final. However, it is submitted that the matter has got to be referred to the Civil Court for enhancement of compensation by considering the representations of the petitioner dated 12.04.1980 and 04.08.2003. On the ground of laches, the prayer sought for by the petitioner cannot be granted. Reference under Section 18 of the Act, after a delay of 37 years and that too a writ filed in 2003 after the award was passed in 1980 need not be granted. This Court is not inclined to entertain this writ petition.

3.Accordingly, his writ petition stands dismissed. No costs.

Sd/--

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

abr

To

1.The District Collector,
Dheeran Chinnamalai Maligai,
Perundurai Road, Erode District,
Erode - 11.

2.The Revenue Divisional Officer,
Brough Road, Erode - 638 001.

3.The Executive Engineer &
The Administrative Officer,
Tamil Nadu Housing Board,
Erode Housing Division,
Gandhiji Road, Erode- 1.

+1cc to Government Pleader sr.53923

+1cc to Mr.N.Manokaran,Advocate sr.52177

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pa(co)
ss(14/9/2017)