

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2017

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.Nos.26169 to 26174 of 2016

1 Kumaresan
2 Asokan
3 Yuvaraj ...Petitioners in W.P.No.26169 of 2016

1 Subramani
2 Kumaresan
3 Ellammal ...Petitioners in W.P.No.26170 of 2016

1 Shanmugam
2 Venkatesan
3 Rajeshwari
4 Govindhi
5 Padhmavathiammal ...Petitioners in W.P.No.26171 of 2016

1 Surendrakumar
2 Yuvaraj
3 Seenu
4 Vijayasamundieswari
5 Ashokan
6 Jayaraman
7 Perumal
8 Jeevanandam
9 Ellammal
10 Padmavathiammal
11 Samraj
12 Sampathkumar
13 Sivagami
14 Syed
15 Kanaga
16 Manonmani
17 Syed
18 Selvi
19 Seenan
20 Selvi
21 Seenan
22 Shanmugam
23 Chinnathambi

WEB COPY

24 Kannayan
25 Venugopal
26 Radha
27 Mani
28 Krishnan
29 Thangavel
30 Jayarani
31 Mani
32 Seenu
33 Chandrasekaran
34 Devaraj
35 Velu Gounder
36 Suresh
37 Minor Kishanth
38 Minor Ramnath
39 Ramesh
40 Jaganathan
41 Jaganathan

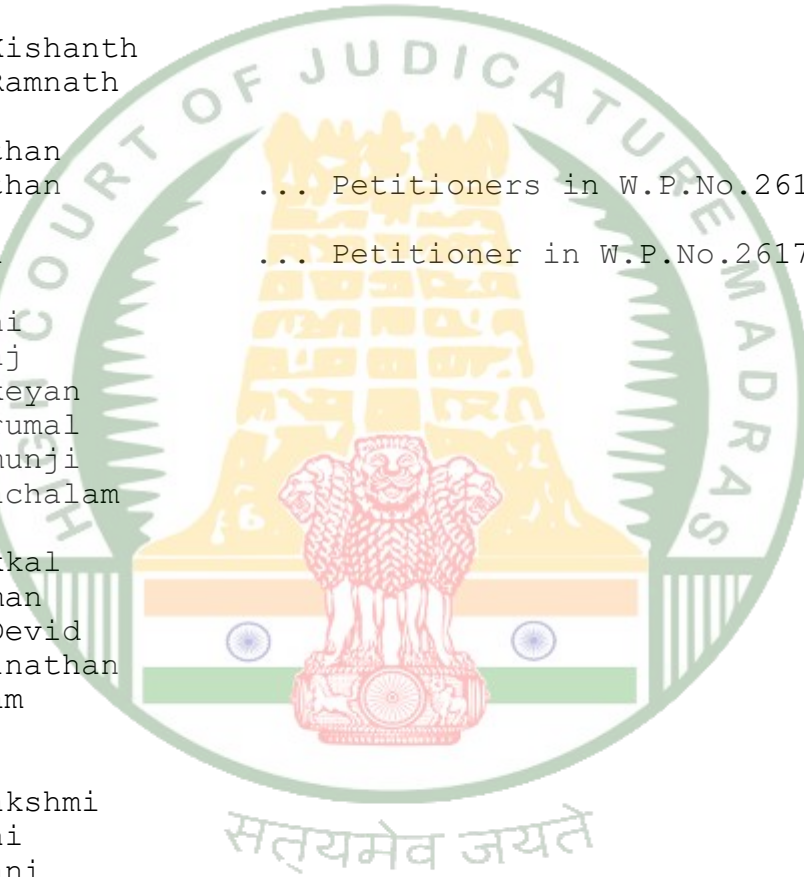
... Petitioners in W.P.No.26172 of 2016

1.Kasiyammal

... Petitioner in W.P.No.26173 of 2016

1 Umapathi
2 Selvaraj
3 Karthikeyan
S/o.Perumal
4 Chinnamunji
5 Maruthachalam
6 Jayaraj
7 Kudiyakkal
8 Balaraman
9 Lilly Devid
10 Badhirinathan
11 Arumugam
12 Appunu
13 Yuvaraj
14 Dhanalakshmi
15 Usharani
16 Selvarani
17 Murugammal
18 Appunu
19 Loganathan
20 Surendrakumar
21 Kumaresan
22 Arunagiri
23 Kannayan
24 Yuvaraj
25 Shanmugam

... Petitioner in W.P.No.26174 of 2016



WEB COPY

Vs

- 1 The Secretary to Government
Government of Tamil Nadu,
Highways and Minor Ports Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2 The District Revenue Officer,
(Land Acquisition), District Collector Office,
Sathuvachari,
Vellore District-632 009.

... Respondents in all WP's

Writ Petition in W.P.No.26169 of 2016 is filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to pay the compensation as per the order dated 23.03.2015 passed in L.A.O.P.No.54/2014 by the Special Sub Court at Vellore for Land Acquisition and based on the petitioners' representation dated 20.05.2016.

Writ Petition in W.P.No.26170 of 2016 is filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to pay the compensation as per the common order dated 08.04.2015 passed in L.A.O.P.Nos.78/2015, 79/2015 and 80/2015 by the Special Sub Court at Vellore for Land Acquisition and based on the petitioners' representation dated 20.05.2016.

Writ Petition in W.P.No.26171 of 2016 is filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to pay the compensation as per the common order dated 26.02.2015 passed in L.A.O.P.Nos.39/2014, 35/2014, 43/2014, 52/2014 and 63/2014 by the Special Sub Court at Vellore for Land Acquisition and based on the petitioners' representation dated 20.05.2016.

Writ Petition in W.P.No.26172 of 2016 is filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to pay the compensation as per the common order dated 26.02.2015 passed in L.A.O.P.Nos.76/2015, 35/2015, 36/2015, 37/2015, 38/2015, 39/2015, 40/2015, 41/2015, 42/2015, 43/2015, 44/2015, 45/2015, 46/2015, 47/2015, 48/2015, 49/2015, 50/2015, 51/2015, 52/2015, 53/2015, 54/2015, 55/2015, 56/2015, 57/2015, 58/2015, 59/2015, 60/2015, 61/2015, 62/2015, 63/2015, 64/2015, 65/2015, 66/2015, 67/2015, 68/2015, 69/2015, 70/2015, 71/2015,

72/2015, 74/2015, 75/2015 & 57/2014 by the Special Sub Court at Vellore for Land Acquisition and based on the petitioners' representation dated 23.05.2016.

Writ Petition in W.P.No.26173 of 2016 is filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to pay the compensation as per the order dated 23.06.2015 passed in L.A.O.P.No.81/2015 by the Special Sub Court at Vellore for Land Acquisition and based on the petitioner's representation dated 20.05.2016.

Writ Petition in W.P.No.26174 of 2016 is filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to pay the compensation as per the common order dated 16.03.2015 passed in L.A.O.P Nos.53/2014, 31/2014, 32/2014, 33/2014, 34/2014, 36/2014, 37/2014, 38/2014, 40/2014, 41/2014, 42/2014, 44/2014, 45/2014, 46/2014, 47/2014, 48/2014, 49/2014, 50/2014, 51/2014, 55/2014, 56/2014, 58/2014, 59/2014, 60/2014, 61/2014 and 62/2014 by the Special Sub Court at Vellore for Land Acquisition and based on the petitioners' representation dated 23.05.2016.

For Petitioners.. Mr.V.Srikanth
in all W.Ps.

For Respondents.. Mr.S.T.S.Moorthy,
in all WPs. Additional Advocate General Assisted by
Mr.S.Diwakar, Special Govt. Pleader

COMMON ORDER

In pursuant to the award passed by the Special Sub Court, Vellore in L.A.O.P.No.54/2014 dated 23.03.2015; L.A.O.P.Nos.78/2015, 79/2015 and 80/2015 dated 08.04.2015; L.A.O.P.Nos.39/2014, 35/2014, 43/2014, 52/2014 and 63/2014 dated 26.02.2015; L.A.O.P.Nos.76/2015, 35/2015, 36/2015, 37/2015, 38/2015, 39/2015, 40/2015, 41/2015, 42/2015, 43/2015, 44/2015, 45/2015, 46/2015, 47/2015, 48/2015, 49/2015, 50/2015, 51/2015, 52/2015, 53/2015, 54/2015, 55/2015, 56/2015, 57/2015, 58/2015, 59/2015, 60/2015, 61/2015, 62/2015, 63/2015, 64/2015, 65/2015, 66/2015, 67/2015, 68/2015, 69/2015, 70/2015, 71/2015, 72/2015, 74/2015, 75/2015 & 57/2014 dated 23.05.2016; L.A.O.P.No.81/2015 dated 23.06.2015 and L.A.O.P Nos.53/2014, 31/2014, 32/2014, 33/2014, 34/2014, 36/2014, 37/2014, 38/2014, 40/2014, 41/2014, 42/2014, 44/2014, 45/2014, 46/2014, 47/2014, 48/2014, 49/2014, 50/2014, 51/2014, 55/2014, 56/2014, 58/2014, 59/2014, 60/2014, 61/2014 and 62/2014 dated 16.03.2015 respectively, the petitioners made

representations on 20.05.2016 and 23.05.2016 to the respondents seeking to implement the same. As the said request is not acceded to as of now, the present writ petitions have been filed.

2. The learned counsel appearing for the petitioners would submit that the awards having been passed as early as on 23.03.2015, 08.04.2015, 26.02.2015, 23.05.2016, 23.06.2015 and 16.03.2015 respectively, there is neither any compliance nor any appeal filed. Thus appropriate orders will have to be passed.

3. The learned Additional Advocate General, on instructions, would submit that as against some of the claimants 36 appeals have been filed before this Court and the others are in contemplation.

4. When once awards are passed, the petitioners will have to work out their remedy in the manner known to law, which is by way of execution petitions. It appears that some petitioners have already filed execution petitions. Therefore, the remedy open to the petitioners is to pursue the execution petitions. As appeals have already been filed in some cases and are to be filed in other cases, the petitioners can also seek appropriate orders in this regard. Suffice it is to state that the writ petitions are not maintainable before this Court. Accordingly, the writ petitions stand dismissed giving liberty to the petitioners to work out the remedy in the manner known to law. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

WEB COPY

- 1 The Secretary to Government
Government of Tamil Nadu,
Highways and Minor Ports Department,
Secretariat, Fort St. George,
Chennai-600 009.

2 The District Revenue Officer,
(Land Acquisition), District Collector Office,
Sathuvachari, Vellore District-632 009.

+1cc to M/S.V.Srikanth, Advocate Sr.15940
+1cc to the Government Pleader Sr.16040

W.P.Nos.26169 to 26174 of 2016

rsk[col]
srg 23/03/2017



WEB COPY