

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.37415 of 2003

1. M.Sathasivam
2. Subathra
3. Ramathal

.. Petitioners

Versus

- 1.The District Collector of Coimbatore District,
Collectorate, Coimbatore.
2. The Land Acquisition Officer and
Special Tahsildar (LA),
Adi Dravidar & Tribal Welfare,
Coimbatore - 641 018.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records of the respondents pertaining to the order of the 1st respondent made in his proceedings in Na.Ka.no.4129/2002/Ka 8, dated 24.11.2002 and the award passed by the 2nd respondent in 4/200-2003 under reference No.507/2002 A, dated 24.03.2003 and quash the same and direct the respondents to cancel and drop the acquisition of the 20 cents of land in S.F.No.431/3B in Thennamanallur Village, Coimbatore South Taluk, Coimbatore District for the purpose of providing Burial Ground to Adi Dravidars of Kallimadai, H/O Thennamanallur Village, Coimbatore South Taluk, Coimbatore District owned by the petitioners if necessary, by redelivering the lands to the petitioners.

For Petitioners : Ms.Gayathri
for M/s.N.Chandra Raj

For Respondents: Mr.Akhil Akbar Ali, G.A.

O R D E R

The petitioners have filed this Writ Petition to call for the records of the respondents pertaining to the order of the 1st respondent made in his proceedings in Na.Ka.No.4129/2002/Ka 8, dated 24.11.2002 and the award passed by the 2nd respondent in 4/200-2003 under Reference No.507/2002 A, dated 24.03.2003 and quash the same and direct the respondents to cancel and drop the acquisition of the 20 cents of land in S.F.No.431/3B in Thennamanallur Village,

Coimbatore South Taluk, Coimbatore District for the purpose of providing Burial Ground to Adi Dravidars of Kallimadai, H/O Thennamanallur Village, Coimbatore South Taluk, Coimbatore District, owned by the petitioners if necessary, by red-delivering the lands to the petitioners.

2. It is represented by the learned counsel for the petitioners that they have come forward with the aforesaid prayer challenging the award dated 24.03.2003 and the order dated 24.11.2002.

3. It is submitted by the learned counsel for the petitioners, that he is unable to get in touch with the petitioners and he doesn't know about the status of the case.

4. According to the respondents, the entire amount has been deposited as per the the award.

5. On a glance of the impugned proceedings, it is clear that the land has been acquired for the Burial Ground and the compensation amount had already been deposited in the Civil Court. The contention of the respondents is that the request of the petitioner had been rejected. However, from the grounds raised in the Writ Petition, it is the contention of the Writ Petitioner that non-speaking order is passed in the award dated 02.12.2002. It is also stated that the compensation amount of Rs.9,214/-deposited, is very meager.

6. Taking note of the fact that the land in question is acquired for Burial Ground and the authority has considered the pleadings of the parties and the Land Acquisition Officer has passed the award, which runs to about 8 pages, the contention of the petitioner that the award is a non-speaking order, cannot be accepted. The Writ Petition is accordingly dismissed. No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

pvs

To

1.The District Collector of Coimbatore District,
Collectorate, Coimbatore.

2. The Land Acquisition Officer and
Special Tahsildar (LA),
Adi Dravidar & Tribal Welfare,
Coimbatore - 641 018.

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ss (4/8/2017)