

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16..08..2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.20431 of 2018

Unnamalai

... Petitioner

-Versus-

- 1.The District Collector,
Thiruvannamalai,
Thiruvannamalai District.
- 2.The District Revenue Officer,
Thiruvannamalai,
Thiruvannamalai District.
- 3.The Revenue Divisional Officer,
Thiruvannamalai,
Thiruvannamalai District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to deposit the Award amount to the credit of LAOP No.93 of 2000 by considering the representation of the petitioner dated 20.03.2018.

For Petitioner : Mr.G.Rajan

For Respondents : Mr.M.Elumalai,
Government Advocate
for R1 to R3

ORDER

This writ petition has been filed seeking for a direction to the respondents to deposit the Award amount as ordered in L.A.O.P.No.93 of 2000 by the Principal Subordinate Judge, Tiruvannamalai.

2. According to the petitioner, her husband late Balaraman was the absolute owner of the land comprised in S.NO.79/1 measuring 0.58.0 Hectares situated at Vengikal Village,

Tiruvannamalai District which has been acquired for the purpose of constructing master plan complex to house Office of the Collectorate and other Government Offices in the year 1998 under the provisions of the Land Acquisition Act, 1894. Thereafter, an award came to be passed fixing compensation for the land acquired by the Government for public purpose. Not being satisfied with the same, the husband of the petitioner filed his objection under Section 18 of The Land Acquisition Act. The respondents referred the objection made by the petitioner to the civil court having jurisdiction. On such reference, the learned Principal Subordinate Judge, Tiruvannamalai, assigned number as LAOP No.93 of 2000 and eventually passed an award thereby enhancing the compensation fixed by the respondents. On appeal by the State, this Court modified the award passed by the learned Principal Subordinate Judge, Tiruvannamalai by judgement dated 03.08.2015 in A.S.No.134 of 2015 etc batch. The respondent, however, did not take any steps to satisfy the award. Pending litigation, the husband of the petitioner died leaving behind the petitioner and her two sons as his legal heirs. The grievance of the petitioner is that despite her representation in this regard, the State has not paid any amount till date. Hence, this writ petition.

3. Heard both sides.

4. The learned Government Advocate appearing for the respondents, on instructions, submitted that the 1st respondent in and by his proceedings in No.A1/6493/2010 has forwarded a proposal to the Government on 05.06.2018 and once the amount is sanctioned the same will be deposited into the credit of L.A.O.P.No.93 of 2000.

5. Considering the fact that the acquisition proceedings were of the year 1999 and the appeal filed by the State as against the award passed in LAOP No.93 of 2000 was disposed of by this court in the year 2015 itself and on considering the other facts and circumstances of the case, the respondents are directed to deposit the award amount as per the judgement of this court in A.S.No.134 of 2015 etc batch dated 03.08.2015 within a period of six weeks from today. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

kmk

To

1.The District Collector,
Thiruvannamalai,
Thiruvannamalai District.

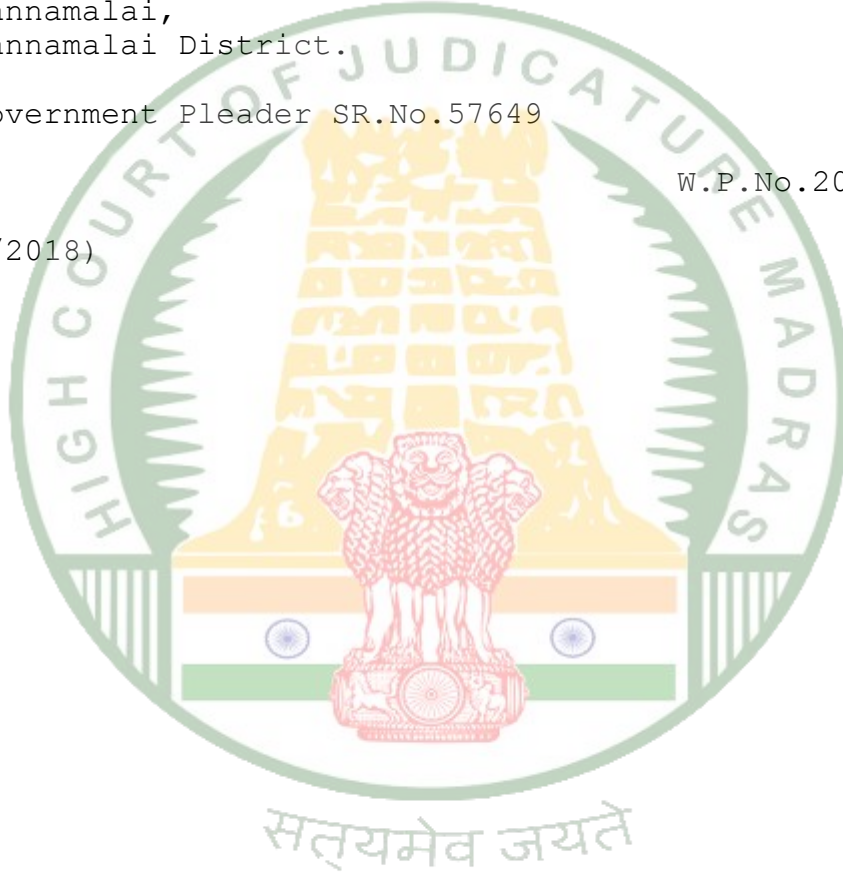
2.The District Revenue Officer,
Thiruvannamalai,
Thiruvannamalai District.

3.The Revenue Divisional Officer,
Thiruvannamalai,
Thiruvannamalai District.

+1cc to Government Pleader SR.No.57649

W.P.No.20431 of 2018

GMV (07/09/2018)



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