

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.03.2018

Coram: The Honourable Mr. Justice N. SESHASAYEE

W.P.No.4890 of 2018

1. D.Lalitha
2. Thangaraj
3. Santha
4. Rani
5. Anbarasan
6. Vanitha
7. Parvathi
8. Munirathinam

...Petitioners

Versus

1. The Additional Chief Secretary and
Commissioner of Land Administration,
O/o. Commissioner of Land Reforms Administration,
Chepauk, Chennai - 600 005.
2. Land Acquisition Officer,
District Revenue Officer,
Office of the District Collector,
Vellore District.
3. The Tahsildar,
Office of the Tahsildar,
Tirupattur Taluk,
Vellore District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of a Writ of Mandamus to direct the respondents to pass a final award as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 failing which to make reference to the appropriate authority for determination of the enhancement of award of compensation as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

For Petitioners : Ms.A.Subadra

For Respondents : Mr.E.Neelakandan
Government Advocate

O R D E R

1. The petitioners owned different plots of land and have independent title over the same but have a common grievance that their properties were acquired under the provisions of Tamil Nadu Highways Act, 2001. An interim award was passed on 31.05.2017 but no final award has yet been passed which adversely affects the interest of the petitioner.

2. Mr.E.Neelakandan, the learned Government Advocate appearing for respondents has submitted on instructions that the possession of the property has been taken and the road too has been laid and that a final award will be passed on the principles statutorily provided under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (Central Act 30 of 2013). The said statement of the learned Government Advocate is recorded.

3. This Court accordingly directs the second respondent/District Revenue Officer to pass a final award in the matter within a period of four months from the date of receipt of a copy of this order. Since this Court commonly experiences a situation that the amount so determined under the Award are not immediately honoured, the second respondent is further directed to address the Government for funds in order to ensure that petitioners do not approach this Court for non payment of compensation amount.

4. Accordingly, this Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

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To

1. The Additional Chief Secretary and
Commissioner of Land Administration,
O/o. Commissioner of Land Reforms Administration,
Chepauk, Chennai - 600 005.
2. Land Acquisition Officer,
District Revenue Officer,
Office of the District Collector,
Vellore District.
3. The Tahsildar,
Office of the Tahsildar,
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Vellore District.

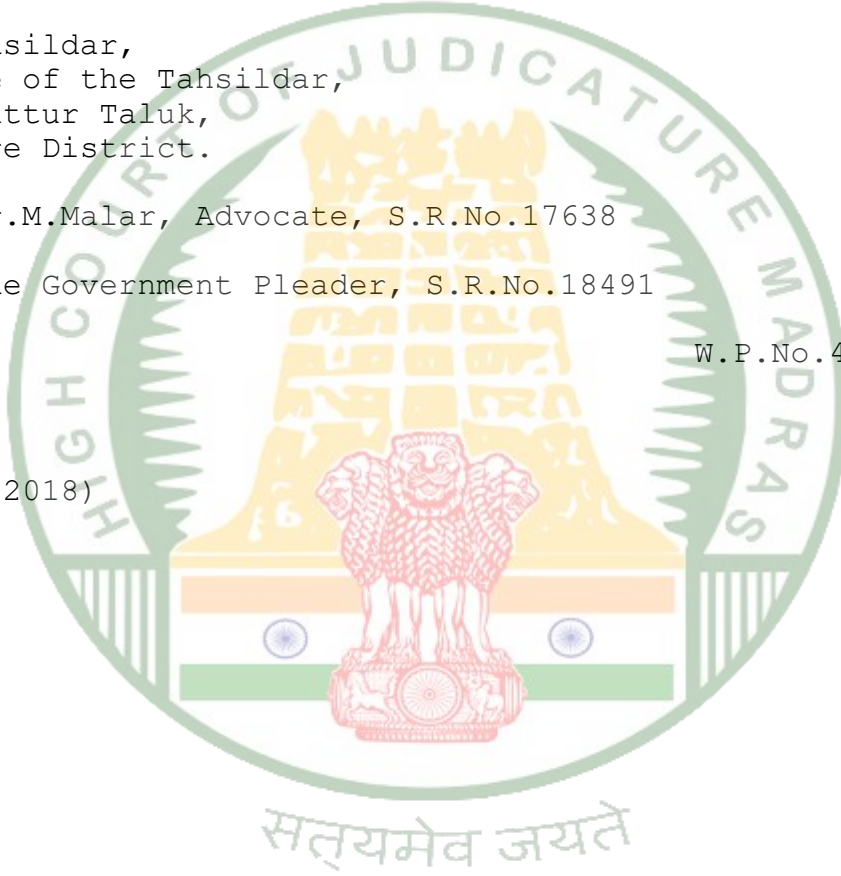
+1cc to Mr.M.Malar, Advocate, S.R.No.17638

+1cc to the Government Pleader, S.R.No.18491

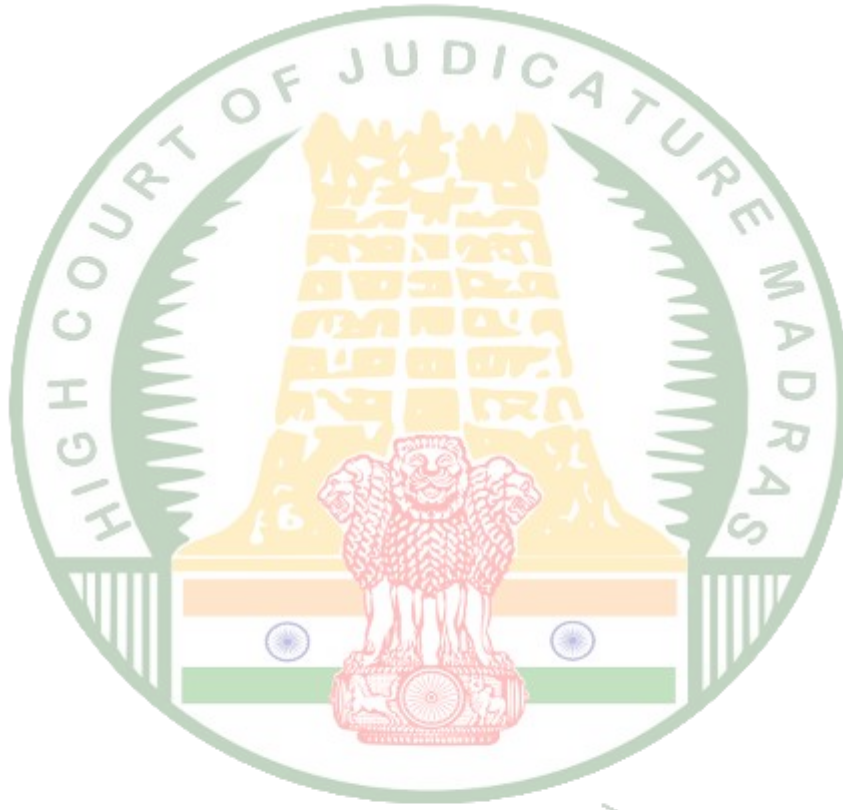
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VBA (CO)

RRK (27/04/2018)



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