

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 23.08.2018

CORAM:
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. Nos. 21486 of 2018

Pushpavathy

... Petitioner

Vs.

1.The District Collector,
Tiruvannamalai,
Tiruvannamalai District.

2.The District Revenue Officer,
Tiruvannamalai,
Tiruvannamalai District.

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

... Respondents

PRAYER : 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.121/2000 by considering the representation dated 20.03.2018.

For petitioner : Mr.G.Rajan
For Respondents : Mr.M.Elumalai,
Government Advocate

O R D E R

This writ petition has been filed seeking a direction to the respondents to deposit the Award amount as ordered in L.A.O.P.No. 121 of 2000, by the Principal Subordinate Judge, Tiruvannamalai.

2. According to the petitioner, she was the absolute owner of the land comprised in S.NO.71/1 measuring 1.34 Hectares situated at Vengikal Village, Tiruvannamalai District, which has been acquired for the purpose of constructing master plan complex comprising 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. Not being satisfied with the same, the petitioner filed his objection under Section 18 of The Land Acquisition Act, and the respondents referred the award to the Civil Court having jurisdiction. On such reference, the learned Principal Subordinate Judge, Tiruvannamalai, assigned number as LAOP

No.121 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. Thereafter, so far, the respondent did not take any steps to satisfy the award. The grievance of the petitioner is that despite his representations 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 now the 1st respondent in and by his proceedings in No.A1/6493/2010 has forwarded a proposal to the Government on 05.06.2018 for financial sanction and once the amount is sanctioned the same will be deposited into the credit of L.A.O.P.No.121 of 2000.

5. Considering the fact that the acquisition proceedings were of the year 1998 and the appeal filed by the State as against the award passed in LAOP No.121 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(CS IX)

//True Copy//

Sub Assistant Registrar

mrp/rst

To

1.The District Collector,
Tiruvannamalai,
Tiruvannamalai District.

2.The District Revenue Officer,
Tiruvannamalai,
Tiruvannamalai District.

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

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NMI (CO)
rrs 04/10/2018