

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2018

CORAM

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

W.P.No.21863 of 2018
and WMP.No.25638 of 2018

1. Dinakaran
2. Pavayammal @ Pavathal ... Petitioners

Vs.

1. The District Collector
Erode District, Erode
2. The Revenue Divisional Officer,
Erode, Erode District.
3. The Executive Engineer,
Tamil Nadu Housing Board,
Neighbourhood Scheme,
Surampatti Nall Road, Erode. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to disburse the compensation to the tune of Rs.34,95,271/- together with interest 15% from date of order passed by the 1st respondent in his proceedings No.Na.Ka.5608/2017/B1, dated 27.04.2017 till the compensation being paid by the respondents to the petitioners

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.M.Elumalai

Government Advocate for R1 & R2

Mr.R.V.Babu for R3

O R D E R

The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents to disburse the compensation to the tune of Rs.34,95,271/- together with interest 15% from date of order passed by the first respondent in his proceedings No.Na.Ka.5608/2017/B1 dated 27.04.2017 till the compensation being paid by the respondents to the petitioners.

2. The writ petition has been filed seeking a direction to the respondents to disburse the compensation amount payable to the petitioner with interest. The grievance of the petitioner is that the petitioner's land were acquired for the Tamil Nadu

Housing Board in the year 1992, thereafter, award was also passed. Subsequently, at request of the neighbouring land owners, the matter was referred under Section 18(1) of Land Acquisition Act and the compensation was enhanced at the rate of Rs.22/- per sq.ft. Thereafter the petitioner filed an application under Section 28-A of Land Acquisition Act seeking similar enhancement. The said application was allowed by the first respondent by order dated 27.04.2017 whereby the compensation was enhanced to a sum of Rs.34,95,271/-, even though an order was passed on 27.04.2017 so far the amount has not been disbursed, hence the present writ petition .

3. Earlier notice was ordered to the respondents. Today, when the matter came up for hearing, the learned counsel appearing for the respondents 1 & 2, on instructions submitted that, now the first respondent is willing to disburse the entire amount within a period of six weeks. Considering the above said submission made by the learned Government Advocate, the first respondent is directed to pay the compensation amount payable to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

4. With the above directions, the writ petition stands disposed of. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

dpq

To

1. The District Collector, Erode District, Erode.
2. The Revenue Divisional Officer,
Erode, Erode District.
3. The Executive Engineer, Tamil Nadu Housing Board,
Neighbourhood Scheme,
Surampatti Nall Road, Erode.

- + 1 cc to Mr.Cc. Prakasam, Advocate Sr.63865
+ 1 cc to Mr.Government Pleader Sr.63827
+ 1 cc to Mr.R.V. Babu, Advocate Sr.64231

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(CS-VI)
EU(24/09/2018)