

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.14419 of 2017
and WMP.No.15630 of 2017

Perumal

..Petitioner

Vs

1. The District Collector,
Krishnagiri District,
Krishnagiri.
2. The District Revenue Officer,
Krishnagiri District,
Krishnagiri.
3. The Tahsildar,
Krishnagiri Taluk,
Krishnagiri.
4. The District Elementary Educational Officer,
Krishnagiri District,
Krishnagiri.
5. The Head Master,
Panchayat Union Middle School,
Sembadamuthur,
Krishnagiri Panchayat Union,
Krishnagiri District.
6. The Block Development Officer/Commissioner,
Krishnagiri Panchayat Union,
Krishnagiri,
Krishnagiri District.
7. The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri,
Krishnagiri District.

..Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondents 1 to 3 and 6 to pay the compensation for the

petitioner's land, which have been utilized for the constructions of Sembadamuthur Panchayat Union Middle School Buildings, VAO office, Library and Anganwadi Centre (total an extent of 60 cents) at S.No.25/1 and 25/2 Sembadamuthur Village, Krishnagiri Taluk & District without acquiring the said land as contemplated under the Land Acquisition Act or any other Laws, consequently forbear the respondents and their subordinates from interfering the peaceful possession and enjoyment of the petitioner and his family members in their property / agricultural lands in S.Nos.25/1 and 25/2, total an extent of 10.30 Acres, situated at Sembadamuthur Village, Krishnagiri Taluk & District without following any due process of law as contemplated under the Land Acquisition Act.

For Petitioner : Mr.M.R.Jothimanian
For Respondents : Mr.Akhil Akbar Ali
Government Advocate

ORDER

Heard the learned Counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused materials available on record.

2. According to the petitioner, the respondents have already utilized 60 cents of the petitioner's land for construction of Panchayat School and now an attempt has been made by the respondents to take possession of the remaining extent of 10.30 acres in Survey No.25/1 and 25/2 at Sembadamuthur Village, Krishnagiri Taluk.

3. The learned Government Advocate for the respondents submitted that based on the representation of the petitioner an enquiry is now being conducted for payment of compensation for 60 cents and it is under consideration. The respondents would acquire the remaining land by following the procedure, if it is required.

4. In the light of the above submissions, this Court, without going into the merits of the case, directs the respondents 1 and 3 to consider the representation of the petitioner, with regard to the payment of compensation and pass orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order and the respondents shall not take possession of the remaining land of the petitioner without following due process.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

msrm

To

1. The District Collector,
Krishnagiri District,
Krishnagiri.
2. The District Revenue Officer,
Krishnagiri District,
Krishnagiri.
3. The Tahsildar,
Krishnagiri Taluk,
Krishnagiri.
4. The District Elementary Educational Officer,
Krishnagiri District,
Krishnagiri.
5. The Block Development Officer/Commissioner,
Krishnagiri Panchayat Union,
Krishnagiri,
Krishnagiri District.
6. The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri,
Krishnagiri District.

+1 CC to Mr.M.R. Jothimanian, Advocate sr 43979

+1 CC to Govt. Pleader sr 44607.

W.P.No.14419 of 2017

SP(26/07/2018)