

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2018

CORAM

THE HONOURABLE MR. JUSTICE R.SURESH KUMAR

W.P.No.20641 of 2004

Kaliyaperumal

... Petitioner

Versus

The Revenue Divisional Officer
Vridhachalam Taluk,
Cuddalore District.

.... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to refer Award 7 of 88, dated 03.11.1989 to the reference Court under Section 18 of the Land Acquisition Act, 1894.

For Petitioner : Mr.V.Lakshminarayanan

For Respondents : Mr.M.Elumalai
Government Advocate

O R D E R

The prayer sought for here in is for a writ of mandamus, directing the respondent to refer Award 7 of 88, dated 03.11.1989 to the reference Court under Section 18 of the Land Acquisition Act, 1894.

2. Heard Mr.V.Lakshminarayanan, learned counsel appearing for the petitioner and Mr.M.Elumalai, learned Government Advocate appearing for the respondents.

3. When the case is taken up for hearing today, Mr.M.Elumalai, learned Government Advocate has produced the following communication, which is extracted in toto for easy reference :

"Ref.No. A1/5241/2013 Dt.28.08.2018.

Sir,

Sub: LAOP - 1/2010 - In the court of Subordinate Judge filed by Thiru. Kaliyaperumal S/o. Jambulingam - Pudukooraipeittai Village -Vridhachalam Taluk - 50% of Award amount deposited - reg.

Ref: 1. Vridhachalam Principal Sub-Ordinate Court, LAOP No. 1/2010, Dt.08.01.2013.

2. Vridhachalam Principal Sub-Ordinate Court, EP No. 46/2013,

3. Chennai, High Court of Madras (Civil Appellate Jurisdiction) CMPNo.17549/2016 in A.S.No.623/2016, dated.10.11.2016.

4. High Court, Chennai, W.P.20641/2004.

With reference to the above order 3rd cited, a sum of Rs.4,79,740/- regarding the 50% of Award amount in respect of Thiru.Kaliyaperumal S/o. Jambulingam, Pudukooraipeittai Village, Vridhachalam taluk has been drawn in favour of the Principal Sub-Judge, Vridhachalam bearing No.947132 Dt. 04.12.2017.

Thiru.Kaliyaperumal S/o. Jambulingam has presented an application dated.19.08.2009 under section 18(1) of the Land Acquisition Act requesting to refer the case for enhanced compensation and under section 19(1) of Land Acquisition Act, a reference communication has been sent to the Sub-Ordinate Judge, Vridhachalam in this office Ref. A1/16422/83 Dt.26.11.2009 in respect of Lands acquired to the extent of 1.38.5 Hectares in Kuppanatham Village, Vridhachalam Taluk for the formation of Regional Research Station of Tamil Nadu Agricultural University Coimbatore at Vridhachalam.

This is for favour of kind information.

Yours faithfully,
sd/C.Santhoshini Chandra,
Revenue Divisional Officer,
Vridhachalam.
//t.c.b.o//

PA to Revenue Divisional Officer,
Vridhachalam."

4. Since it has already been referred as reflected in the said communication, dated 28.08.2018 of the respondent, the learned counsel appearing for the petitioner also submits that, the said communication can be recorded and accordingly, the writ petition can be disposed of.

5. In view of the above, by recording the said communication, dated 28.08.2018 given by the respondent, this writ petition is disposed of, as no further order is required to be passed. No costs.

Sd/-
Assistant Registrar(CS-Audit)

//True copy//

Sub Assistant Registrar

tsvn

To

The Revenue Divisional Officer
Vridhachalam Taluk,
Cuddalore District.

+1cc to Mr.V. Raghavchari, Advocate SR.No.59553

+1cc to Government Pleader SR.No.59773

W.P.No.20641 of 2004

GMV (12/09/2018)

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