

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 24568 of 2018
and
W.M.P. 28602 of 2018

- 1.P.Kesavamoorthy
2. M.Sagunthala
3. R.Velusamy
4. V.N.Kuppusamy
5. V.Soundaram
6. K.Selvaraj

... Petitioners

Vs

1. The District Collector,
Erode District,
Erode.

2. The Revenue Divisional Officer,
(Land Acquisition),
O/o. Revenue Divisional Office,
Brough Road, Erode-1.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to pass orders on the basis of the enquiry conducted under Sec.28(A) of Land Acquisition Act by taking note of compensation fixed in L.A.O.P. No.3 of 2014, dated 12.04.2014 and fix the compensation as per the order passed in National Mega Lok Adalath in case No.254 of 2014 on the file of the Sub-Court, Erode.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.C.Thirumaran,
Special Government Pleader
(Land Acquisition)

O R D E R

This Writ Petition has been filed seeking for a direction directing the 1st respondent to pass orders on the petitioner's application filed under Sec.28(A) of the Land Acquisition Act, 1894 (hereinafter called as 'Act').

2. The case of the petitioner is that the petitioner's land was acquired by the respondents and a award was also passed. Thereafter, the neighbouring landowners have filed a petition under Sec.18 of the Act seeking for reference of the award and on the reference, compensation has been enhanced in the Lok Adalat. Subsequently, based on that, the petitioner has made application before the 2nd respondent under Sec.28(A) of the Act seeking for enhancement of the compensation on 14.05.2014, but, so far, no order has been passed. Hence, the present Writ Petition has been filed by the petitioner.

3. Earlier, notice was ordered to the respondents and the matter was listed today. The learned counsel appearing for the respondents, on instructions, submitted that the petitioner's application will be considered and the 2nd respondent will pass suitable orders in accordance with law within a period of four weeks.

4. Considering the above submissions, the Writ Petition is disposed of with a direction to the 2nd respondent to consider the petitioner's application on merits and in accordance with law and pass suitable orders after giving opportunity to the petitioner within a period of four weeks from the date of receipt of the copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rpp

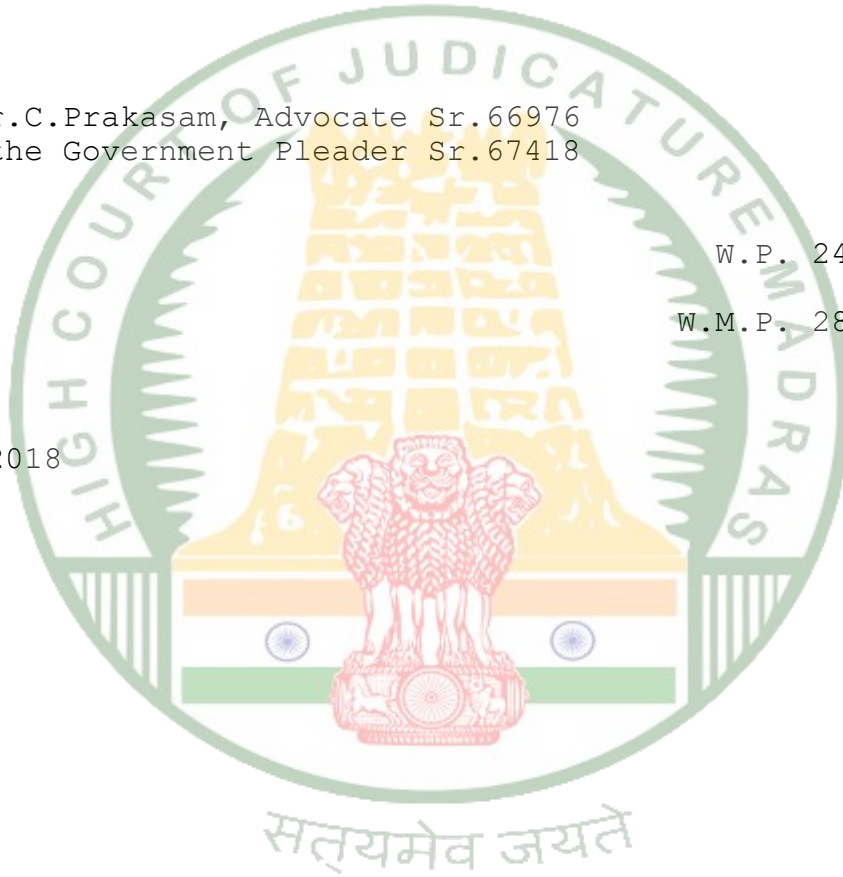
To

1. The District Collector,
Erode District, Erode.
2. The Revenue Divisional Officer,
(Land Acquisition),
O/o. Revenue Divisional Office,
Brough Road, Erode-1.

+1cc to Mr.C.Prakasam, Advocate Sr.66976
+1 cc to the Government Pleader Sr.67418

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srg 3/10/2018



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