

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.Nos.1556, 7306, 7307, 6980 to 6985 of 2018 and
16084 and 16089 of 2017

WP.No.1556 of 2018

1. K.Srinivasan
2. M.Venkatachalam
3. M.Krishnan ...Petitioners in W.P.No.1556 of 2018

Vs.

1. The District Collector,
Collectorate,
Dharmapuri District - 636 705.
2. The Special Thasildar,
Land Acquisition Officer-cum-Adidraavidar Welfare,
Dharmapuri 636 701. ...Respondents in WP.No.1556 of 2018

WP.NO.7306 & 7307/2018:

- 1 Varadhan Petitioner in WP.NO.7306/2018
S/o.Durai Ammachi,
Errapatty Village,
A.Jettyhalli Post,
Dharmapuri 636705.

- 2 Manickam Petitioner in WP.NO.7307/2018

Vs

- 1 The District Collector
Dharmapuri District Dharmapuri- 636 705.
- 2 The Executive Officer
Tamilnadu Housing Board Bagalur Road Hosur
Krishnagiri District.
- 3 The Special Tahsildar
Land Acquisition Officer Tamilnadu Housing
Board Hosur Krishnagiri District.
.. Respondents in 7306 and 7307/18.

WP.NO.6980/2018:

- 1 E.Anandan S/o.Ellappan
Errapatti Village A.Jettihalli Post
Dharmapuri- 636807 ... Petitioner in WP.no.6980/18

Vs

- 1 The District Collector
Dharmapuri District Dharmapuri- 636705
- 2 The Executive Officer
Tamil Nadu Housing Board Bagalur Road
Hosur Krishnagiri District
- 3 The Special Tahsildar/
Land Acquisition Officer Tamil Nadu Housing
Board Hosur Krishnagiri District
... Respondents in WP.NO.6980/2018

WP.NO.6981 & 6982/2018:

- 1 Munusamy S/o.Duraikaveri
Errapatti Village A.Jettihalli Post
Dharmapuri- 636807 ... Petitioner in WP.No.6981/18

- 2 Muthan Poojari ... Petitioner in WP.No.6982/18

Vs

- 1 The District Collector
Dharmapuri District Dharmapuri- 636705
- 2 The Executive Officer
Tamil Nadu Housing Board Bagalur Road
Hosur Krishnagiri District
- 3 The Special Tahsildar/
Land Acquisition Officer Tamil Nadu Housing
Board Hosur Krishnagiri District
...RESPONDENTS in 6981/18 and 6982/18.

WP.NO.6983/2018:

- 1 Muthan Poojari
S/o.Marimuthu Opp. to Govt. Arts College
Collectorate Post Dharmapuri District

... Petitioner WP.NO.6983/2018

Vs

- 1 The District Collector
Dharmapuri District Dharmapuri- 636705
- 2 The Special Tahsildar/
Adi Dravida Welfare cum Land Acquisition
Officer Dharmapuri- 636705.. Respondents in WP.NO.6983/2018

WP.NO.6984/2018:

- 1 Chinnakannu [PETITIONER WP.NO.6984/2018]
W/o.Vajaravel Oddapatti Village
A.Jettihalli Post Dharmapuri-636807

Vs

- 1 The District Collector
Dharmapuri District Dharmapuri- 636705
- 2 The Executive Officer
Tamil Nadu Housing Board Bagalur Road
Hosur Krishnagiri District
- 3 The Special Tahsildar/
Land Acquisition Officer Tamil Nadu Housing
Board Hosur krishnagiri District
[RESPONDENTS WP.NO.6984/2018]

WP.NO.6985/2018:

- 1 Chinnakannu [PETITIONER WP.NO.6985/2018]
W/o.Vajaravel Oddapatti Village A.
Jettihalli Post Dharmapuri-636807

Vs

- 1 The District Collector
Dharmapuri District Dharmapuri- 636705
- 2 The Executive Officer
Tamil Nadu Housing Board Bagalur Road
Hosur Krishnagiri District
- 3 The Special Tahsildar/
Land Acquisition Officer Tamil Nadu Housing
Board Hosur krishnagiri District

WP.NOs.16084 & 16089/2017:

- 1 Sidhan
S/o. Periyapalani Errapatti Village
A. Jettihalli post Dharmapuri 636 807
... Petitioner in WP.NO.16084/17
2. Munusamy .. Petitioner in WP.NO.16089/17

Vs

- 1 The District Collector
Dharmapuri District Dharmapuri - 636 705.
- 2 The Executive Officer
Tamil Nadu Housing Board, Bagalur Road
Hosur Krishnagiri District.
- 3 The Special Tahsildar /
Land Acquisition Officer Tamil Nadu Housing
Board Hosur Krishnagiri District.
...Respondents in both Wps.

PRAYER in W.P.No.1556 of 2018: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioners' last representation dated 23.05.2017 and direct the respondents to deposit award amount with interest till dated in L.A.O.P.No.142, 144 and 146 of 1996 respectively before the Additional District Court, Dharmapuri.

Prayer in W.P.NO.7306 & 7307/2018:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioners representation dated 10.05.2017 and 12.02.2018 and direct the respondents to deposit Award amount with interest till dated in L.A.O.P. No. 36 of 1996 and 16/1996, before the Sub Court Dharmapuri so as enable the petitioner to receive the compensation.

Prayer in W.P.No.6980/2018:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the

respondents to consider the petitioners last representation dated 12.02.2018 and direct the respondents to deposit Award amount with interest till date in LAOP No.23 of 1996 before the Sub court Dharmapuri So as enable the petitioner to receive the compensation.

Prayer in WP.NO.6981 & 6982/2018:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the petitioners last representation dated 12.02.2018 and direct the respondents to deposit Award amount with interest till date in LAOP No.35 of 1996 and 26 of 1992 before the Sub court Dharmapuri So as enable the petitioner to receive the compensation.

Prayer in Wp.No.6983/2018:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the petitioners last representation dated 11.02.2018 and direct the respondents to deposit Award amount with interest till date in LAOP No.6 of 1993 before the Sub court Dharmapuri So as enable the petitioner to receive the compensation

Prayer in WP.No.6984/2018:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the petitioners last representation dated 12.02.2018 and direct the respondents to deposit Award amount with interest till date in LAOP No.76 of 1996 before the Sub court Dharmapuri So as enable the petitioner to receive the compensation.

WP.No.6985/2018:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the petitioners last representation dated 12.02.2018 and direct the respondents to deposit Award amount with interest till date in LAOP No.77 of 1996 before the Sub court Dharmapuri So as enable the petitioner to receive the compensation.

WP.NO.16084 & 16089/2017:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the petitioners last representation dated 10.05.2017 and direct the respondent to deposit Award amount with interest till date in L.A.O.P. No.56 of 1996 and L.A.O.P.No.22 of 1996 before the sub court Dharmapuri So as enable the petitioner to receive the compensation.

For Petitioners in all Wps. : M/s.V.R.Annagandhi

For Respondents

(in W.P.No.1556 of 2018,

For Respondents 1 & 3

in WP.16084/17 & 16089/17 : Mr.D.Raja, AGP

For Respondents 1 & 3

in WP.NOs.7306/18,7307/18

& 6980 to 6984/18 : Mr.Akhil Akbar Ali

For Respondent No.2

in WP.7306,7307 & 6980 to

6985/2018 : Mr.V.Anandhamoorthy

COMMON ORDER

These writ petitions have been filed seeking direction to the respondents to consider the representation of the petitioners and direct the respondents to deposit the award amount with interest to the credit of LAOP.

2. Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondents and perused the materials available on record.

3. The learned counsel for the petitioners submitted that acquisition proceedings were initiated by issuance Notification under Section 4(1) of the Land Acquisition Act and award came to be passed. On reference under Section 18 of the Land Acquisition Act, the learned Sub Judge, Dharmapuri, enhanced the compensation. In some cases, the appeals preferred therefrom were disposed of. In the meanwhile, the land owners have filed Execution Petitions. Since the award amount was not deposited, they have come up with these writ petitions.

4. The learned Additional Government Pleader appearing for the respondents submitted that after getting the work sheet from the Thasildar, the first respondent is ready to deposit the amount.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsels on either side, this Court, directs the first respondent-District Collector to deposit the award amount to the credit of the respective Execution Petitions, within a period of twelve weeks from the date of receipt of a copy of this order. In case of any default, the petitioners / land owners are at liberty to work out their remedy, in the manner known to law.

6. With the above observation and direction, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
Collectorate, Dharmapuri District - 636 705.
2. The Special Thasildar,
Land Acquisition Officer-cum-Adidravidar Welfare,
Dharmapuri 636 701.
- 3.The Executive Officer,
Tamilnadu Housing Board, Bagalur Road, Hosur
Krishnagiri District.
- 4.The Special Tahsildar/
Land Acquisition Officer, Tamilnadu Housing Board
Hosur, Krishnagiri District.

+1cc to Government Pleader in sr.no.37476

+8cc to M/s.Anandhamurthy, Advocate sr.nos.36755 to 36762

+11cc to M/s.V.R.Annagandhi, Advocate sr.nos.36484 to 36494

WP.Nos.1556, 7306, 7307,
6980 to 6985 of 2018 and
16084 and 16089 of 2017

sj(co)
nr 26/06/2018