

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.Nos.18606 to 18611 of 2018

Shanthi ...Petitioner in W.P.No.18606 & 18608 of 2018
Perumal ...Petitioner in W.P.No.18607 of 2018
M.Saravanan ...Petitioner in W.P.No.18609 of 2018
Vallia Gounder ...Petitioner in W.P.No.18610 of 2018
Madu ...Petitioner in W.P.No.18611 of 2018

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 W.P.Nos.18606, 18607,
18608, 18609 & 18611 of 2018

- 1.The Secretary
Adi Dravidar Welfare Department,
Fort St. George,
Chennai 600 009

- 2.The District Collector
Dharmapuri District
Dharmapuri.

- 3.The Special Tahsildar
Adi Dravidar Welfare cum
Land Acquisition Officer,
Dharmapuri

...Respondents in WP.No.18610 of 2018

PRAYER in W.P.No.18606 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 petitioner's representations dated 13.02.2017 and 12.02.2018 and direct the respondents to deposit award amount with interest

till date in L.A.O.P.No.16 of 1995 before the Additional District Judge, Dharmapuri, so as to enable the petitioner to receive the compensation.

WP.No.18607/2018 is filed under Article 226 of Constitution of India to issue a writ or order or direction in the nature of a writ of mandamus directing the respondents to consider the petitioner's last representation dated 02.04.2018 and direct the respondents to deposit Award amount with interest till date in L.A.O.P.NO.18 of 1996 before the Sub Court, Dharmapuri, so as enable the petitioner to receive the compensation.

WP.No.18608/2018 is filed under Article 226 of Constitution of India to issue a writ or order or direction in the nature of a writ of mandamus Directing the Respondents to consider the petitioners representations dated 13.2.2017 and 12.2.2018 and direct the Respondents to deposit Award Amount with Interest till date in L.A.O.P. No. 1 of 1996 before the Addl. District Judge Dharmapuri so as enable the Petitioner to receive the Compensation.

WP.NO.18609/2018 is filed under Article 226 of Constitution of India to issue a writ or order or direction in the nature of a writ of mandamus Directing the Respondents to consider the petitioners last representation dated 2.4.2018 and direct the Respondents to deposit Award Amount with Interest till date in L.A.O.P. No. 63 of 1996 before the Sub Court Dharmapuri so as enable the Petitioner to receive the Compensation.

WP.No.18610/2018 is filed under Article 226 of Constitution of India to issue a writ or order or direction in the nature of a writ of mandamus Directing the Respondents to consider the petitioners last representations dated 12.2.2018 and direct the Respondents to deposit entire Award Amount in C.M.A. (L.A.) No. 51 of 2004 before the Sub Court Dharmapuri so as enable the Petitioner to receive the enhanced Compensation.

WP.No.18611/2018 is filed under Article 226 of Constitution of India to issue a writ or order or direction in the nature of a writ of mandamus Directing the Respondents to consider the petitioners last representation dated 2.4.2018 and direct the Respondents to deposit Award Amount with Interest till date in L.A.O.P. No. 12 of 1996 before the Sub Court Dharmapuri so as enable the Petitioner to receive the Compensation.

For Petitioner : M/s.V.R.Annagandhi
(in all WPs)

For Respondents : Mr.Akhil Akbar Ali, G.A., for RR1 & 3
(in all WPs) Mr.V.Anandamurthy, for R2

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, the learned Government Advocate for the respondents 1 & 3 and the learned Standing Counsel for the 2nd respondent and perused the materials available on record.

3. The learned counsel for the petitioners submitted that acquisition proceedings were initiated by issuance of 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 Additional District Judge Dharmapuri / 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 1 and 3 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 (CCC)

//True Copy//

Sub Assistant Registrar

pvs

To

1.The Additional District Judge,
Dharmapuri

2.The Sub Judge,
Dharmapuri

3. The District Collector,
Dharmapuri District,
Dharmapuri 636705.

4. The Special Tahsildar/
Land Acquisition Officer,
Tamil Nadu Housing Board,
Hosur, Krishnagiri District.

5.The Secretary,
Adi Dravidar Welfare Department,
Fort St. George,
Chennai 600 009

6.The Special Tahsildar
Adi Dravidar Welfare cum
Land Acquisition Officer,
Dharmapuri.

+6cc to M/s.V.R.Anna Gandhi, Advocate SR.NO..Nos.49554 to
49559/2018

+6cc to Mr.V.Anandhamurthy, standing counsel SR.NO.49611
+1cc to Government Pleader SR.NO.50032

sm:10.8.2018

सत्यमेव जयते

WP.Nos.18606 to 18611 of 2018

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