

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.19775 of 2018

Munusamy

...Petitioner

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

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct 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.19 of 1996 before the Sub Court, Dharmapuri, so as to enable the petitioner to receive the compensation.

For Petitioner : Mr.V.R.Annagandhi

For Respondent : Mr.D.Raja, AGP, for RR1 & 3
Mr.V.Anandamurthy, for R2

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ORDER

Mr.D.Raja, learned Additional Government Pleader takes notice for the respondents 1 and 3 and Mr.V.Anandamurthy, learned Standing Counsel takes notice for the 2nd respondent. By consent of the learned counsel appearing for the parties, the writ petition is taken up for final hearing.

2. The case of the petitioner is that his land in Survey Nos.206/5A, 206/2B was acquired by the respondents 2 and 3 for the purpose of housing project. The land acquisition officer fixed compensation at Rs.35,637/- per hectare and on reference under Section 18 of the Land Acquisition Act, the learned Sub Judge, Dharmapuri in L.A.O.P.No.19 of 1996 has enhanced the compensation, however the amount was reduced in A.S.No.724 of 1998 from Rs.6/- per sq.ft. to Rs.4.50/- per sq.ft.

3. The grievance of the petitioner is that the Execution Petition filed in the year 2002 is still pending and the respondents have not deposited the award amount so far.

4. The learned counsel for the petitioner submitted that a part of the award amount has been deposited and for recovery of the balance amount, the petitioner filed Execution Petition, in the year 2012. Despite the same, the balance award amount has not been deposited so far, hence the petitioner gave a representation on 02.04.2018. Since no order was forthcoming, the present writ petition.

5. The learned Additional Government Pleader submitted that after getting the worksheet, the amount would be deposited.

6. Taking note of the facts of the case and the submissions of the learned counsels on either side, this Court directs the first respondent to deposit the award amount in the Execution Petition within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True copy//

Sub Assistant Registrar

pvs

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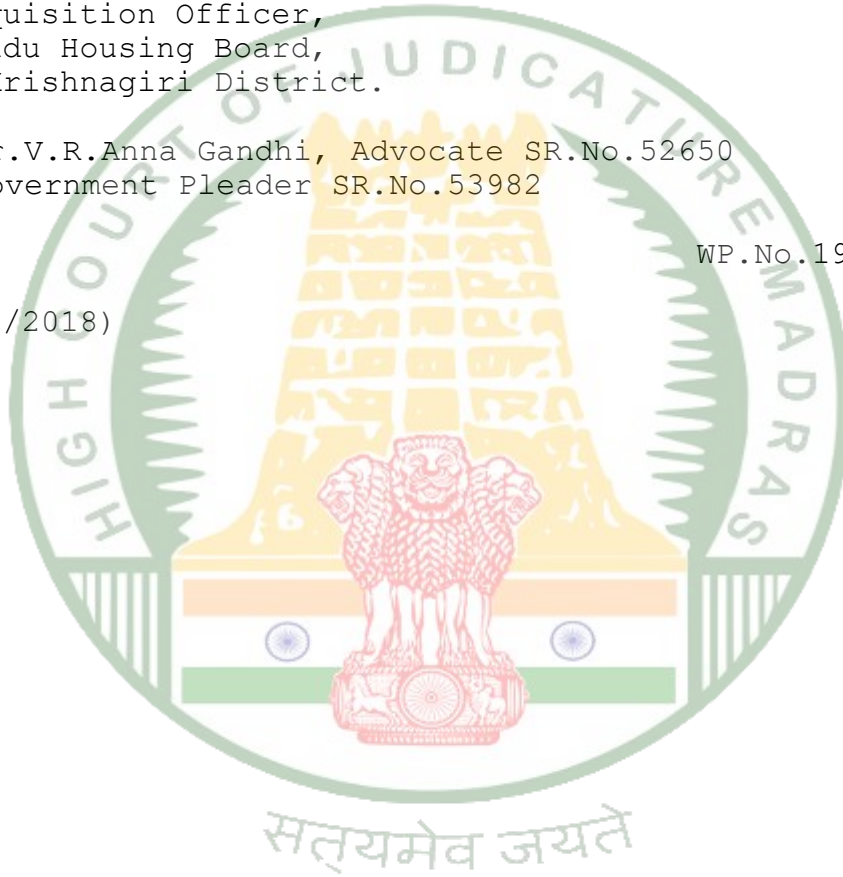
To

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+1cc to Mr.V.R.Anna Gandhi, Advocate SR.No.52650
+1cc to Government Pleader SR.No.53982

WP.No.19775 of 2018

GN(28/08/2018)



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