

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:05.10.2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.26136 of 2018

N.Shanmugam

... Petitioner

-Versus-

1.The District Collector,
Erode District, Erode.

2. The Revenue Divisional Officer,
Erode, Erode District.

3. The Executive engineer,
Tamil Nadu Housing Board,
Neighbourhood Scheme,
Surampatti Nall Road,
Erode.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to disburse the compensation to the tune of Rs.5,11,301/- together with interest at 15% from the date of order passed by the first respondent in and his proceedings in Na.Ka.24235/93/N1, dated 02.03.2017 till the compensation being paid by the respondents to the petitioner and his family members.

For Petitioner

: Mr. C.Prakasam

For Respondents

: Mr.C.Thirumaran, Spl.
Government Pleader for
R1 and R2

: Mr.R.V.Balu,
for R3

ORDER

This writ petition has been filed seeking a direction to disburse the compensation payable to the petitioner.

2. The grievance of the petitioner is that the petitioner's land was acquired by the Tamil Nadu Housing Board for implementation of the housing scheme in the year 1976. Subsequently, award has also been passed. Thereafter, the petitioner along with neighbouring land owners filed an application for enhancement of compensation and before the first respondent District Collector and the first respondent also passed an order enhancing the compensation at the rate of Rs.750/- per sq.ft.,. Thereafter, the petitioner made representation, under Section 28(A) of the Land Acquisition Act and the District Collector by an order dated 02.03.2017 directed the second respondent to disburse the compensation. But, so far the compensation amount has not been given. Hence, the present writ petition has been filed.

3. The learned Special Government Pleader appearing for the first respondent submitted that the land acquisition was made by the Tamil Nadu Housing Board and the Tamil Nadu Housing Board, being beneficiary, has not deposited the amount so far. He further submits that suitable direction may be given to the third respondent to deposit the amount. As soon as the amount is deposited, the amount will be disbursed to the petitioner.

4. I have considered the rival submissions and perused the materials available on records carefully.

5. Considering the submission made by the learned Special Government Pleader, the third respondent is directed to deposit the compensation amount to the credit of the second respondent, within a period of four weeks from the date of receipt of a copy of this order. On receipt of the amount, the second respondent is directed to disburse the compensation amount to the petitioner within a period of two weeks thereafter.

6. Accordingly, this writ petition is disposed of . No costs.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

mrp

To

1.The District Collector,
Erode District, Erode.

2. The Revenue Divisional Officer,
Erode, Erode District.

3. The Executive engineer,
Tamil Nadu Housing Board,
Neighbourhood Scheme,
Surampatti Nall Road,
Erode.

+1 CC to Mr.C. Prakasam, advocate sr 69110.

+1 CC to Govt. Pleader sr 69145.

W.P.No.26136 of 2018

SP(11/10/2018)



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