

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2018

C O R A M

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

Writ Petition No.26809 of 2018

Appachi

... Petitioner

Vs.

1. The District Collector,
Erode District,
Erode.

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

3. The Executive Engineer,
Tamil Nadu Housing Board,
Surampatti Nall Road,
Erode.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to disburse the compensation to the tune of Rs.2,16,304/- together with interest at the rate of 15% till the payment settled with the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.M.Elumalai for R1 & R2,
Government Advocate.

: Mr.R.V.Babu for R3,
Standing Counsel.

O R D E R

The Writ Petition has been filed seeking the direction of the respondents to pay the enhanced compensation amount to the tune of Rs.2,16,304/- together with interest at the rate of 15%.

2. The grievance of the petitioner is that earlier the 1st respondent has passed an order under Section 28(A) of the Land Acquisition Act, enhancing the compensation amount based on the order passed under Section 18 of the Land Acquisition Act.

Even though the order has been passed on 25.01.2017, so far the amount is not paid to the petitioner, hence the present Writ Petition has been filed.

3. Considering the fact that already the District Collector, has passed an Order as early as on 25.01.2017, more than one year the amount has not been paid to the petitioner.

4. The learned Counsel appearing for the respondents submitted that the land has been acquired for the Tamilnadu Housing Board and the Tamilnadu Housing Board being the beneficiary so far they have not deposited the amount. Once, the Tamilnadu Housing Board deposited the amount, the respondent will pay the compensation to the petitioner.

5. The learned Counsel appearing for the 3rd respondent / Tamilnadu Housing Board, submitted that they will deposit the amount within a period of eight weeks from today.

6. Considering such circumstances, the Tamilnadu Housing Board is directed to deposit the compensation amount, within a period of eight weeks from today. On deposit of the amount, the 1st respondent is directed to disburse the same to the petitioner within a period of four weeks, thereafter.

7. The Writ Petition is disposed of with the above direction. No Costs.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

msvm

To

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

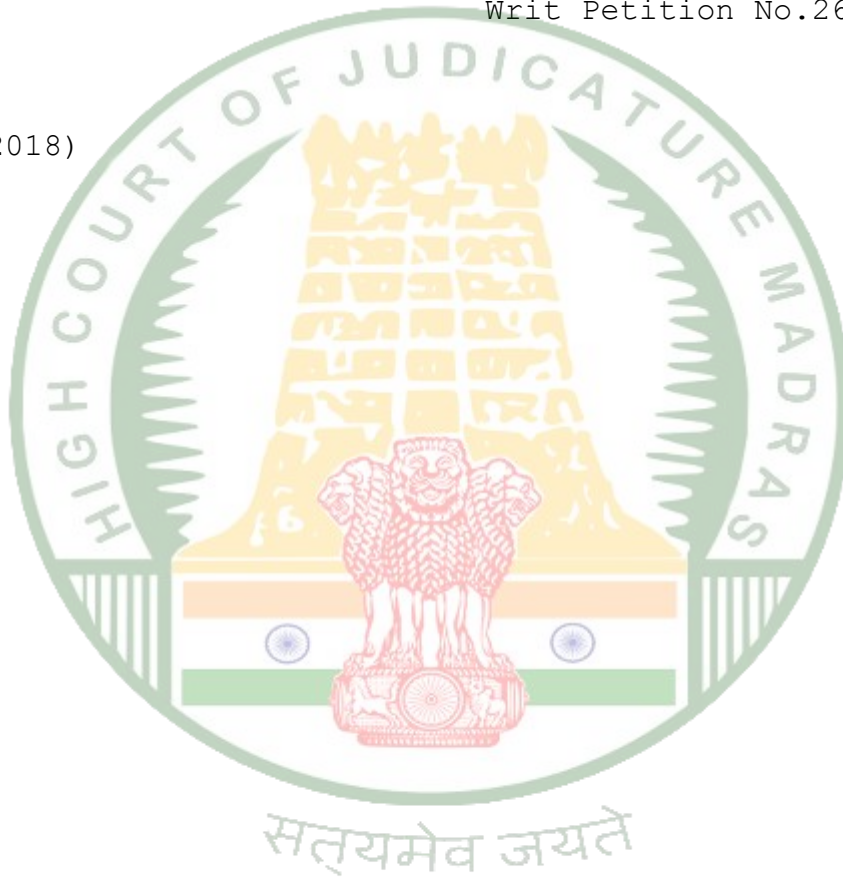
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3. The Executive Engineer,
Tamil Nadu Housing Board,
Surampatti Nall Road,
Erode.

+1 CC to The Govt. Pleader sr 73502.
+1 CC to Mr.R.V. Babu, Advocate sr 73597.
+1 CC to Mr.C. Prakash, Advocate sr 72877.

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SP(31/10/2018)



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