

W.M.P.No.33690 of 2018 in
W.P.No.324 of 2018
K.KALYANASUNDARAM.,J

Heard Mr.N.Subramaniyan, learned counsel for the petitioner and Mr.M.Elumalai, learned Government Advocate for the respondents and perused the materials available on record.

2. This application has been filed seeking modification of the earlier order dated 29.06.2018.

3. The land of the petitioner measuring an extent of 118.54 sq.mt was acquired by the respondents, but compensation was paid only for 100 sq.mt. The petitioner had approached this Court by filing the above Writ Petition for issuance of Writ of Prohibition, prohibiting the respondents from disturbing the petitioner's possession and enjoyment of the property in Survey No.7/30A of Thiruninravur Village, Poonamallee Taluk, Thiruvallore District and for restoration of possession of an extent of 197 sq.ft.

4. When the Writ Petition was taken up for hearing, the learned counsel for the petitioner had agreed to receive compensation for the remaining area of 18.54 sq.mt and the learned Government Advocate on instructions submitted that the respondents had no objection for payment of compensation for the remaining area. Based on their submission, the Writ Petition was disposed of on 29.06.2018.

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5. According to the learned counsel for the petitioner, in paragraph No.6 of the order, though it is stated that the respondents shall pay compensation to the petitioner for the remaining acquired land i.e. 18.54 sq.mt, at the present market value, but it requires clarification under which Act the compensation is to be paid. It is needless to say that the respondents have to pay the compensation for an extent of 18.54 sq.mt under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition and Resettlement Act, 2013.

6. With the above modification, this Application is disposed of.

03.12.2018

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