

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.31438 of 2018

1. Senthilkumar

2. N.Subramani

3. Balakrishnan

4. Thulasimani

5. Manivannan

6. Murugesan

.... Petitioners

Vs.

1. The District Collector,
Erode District, Erode.

2. The Revenue Divisional Officer,
(Land Acquisition).
O/o. Revenue Divisional Office,
Brough Road, Erode-1.

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

... Respondents

PRAYER : 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.20,20,526/- together with interest 15% from the date of order passed by the 1st respondent in his proceedings Na.Ka.2945/2017/B1, dated 13.02.2017 till the compensation being paid by the respondents to the petitioners.

For Petitioner : Mr.C. Prakasam

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

: Mr.R.V.Babu,
for R3

O R D E R

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

2. The grievance of the petitioners is that the petitioners' lands were acquired by the Tamil Nadu Housing Board and an award was also passed in the year 1995. Some of the neighbouring land owners, whose lands were also acquired in the same notification, sought for a reference under Section 18(1) of the Land Acquisition Act, and on the reference, compensation amount was also enhanced. Subsequently, the petitioner filed an application under Section 28A, of the Land Acquisition Act seeking for the similar enhancement. On 13.02.2017, the first respondent, District Collector, also passed an order under Section 28-A of the Act granting similar compensation. But, so far that amount has not been paid. Hence, the present writ has been filed.

3. The learned Government Advocate appearing for the respondents 1 and 2, on instructions, submitted that the lands were acquired for the Tamil Nadu Housing Board. But, so far the Housing Board did not deposit the award amount and if the Housing Board Deposited the amount, they will deposit the award amount to the credit of the petitioners.

4. The learned counsel appearing for third respondent, Tamil Nadu Housing Board, submitted that six weeks time may be granted to deposit the amount.

5. Considering the above circumstances and the submission made by the learned counsel, the third respondent is directed to deposit the award amount within a period of six weeks from the date of receipt of a copy of

this order and on depositing the amount by the Tamil Nadu Housing Board, the first respondent is directed to disburse the same to the petitioners within a period of two weeks thereafter. No costs.

6. With the above directions, the Writ Petition is disposed of . No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Erode District, Erode.
2. The Revenue Divisional Officer,
(Land Acquisition).
O/o. Revenue Divisional Office,
Brough Road, Erode-1.
3. The Executive Engineer,
Tamil Nadu Housing Board,
Neighbourhood Scheme,
Surampatti Nall Road, Erode.

+1cc to Government Pleader in sr.no.81770

+1cc to Mr.C. Prakasam, Advocate sr.no.81687

सत्यमेव जयते

W.P.No.31438 of 2018

rsy(co)
nr 04/12/2018

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