

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT APPEAL Nos.1001 AND 1007 OF 2018

COMMON JUDGMENT : (Per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)

We have heard the learned counsel for the appellants in both these writ appeals quite in extenso. We have also heard the learned Government Pleader for Land Acquisition appearing for respondent Nos.1 to 3 and Ms. N. Sasikala, learned Standing Counsel for respondent Nos.4 to 7.

2. The fact of the matter remains that the appellants have participated in the proceedings leading to the awards being issued under the provisions of the Land Acquisition Act, 1894; for short 'Act 1894'. The learned single Judge has held that the awards having become final, the avenues available for the appellants (writ petitioners), would be to take recourse to the modes of reaching at enhanced compensation under the Act 1894. The learned single Judge was justified in holding that the present attempt is only to reopen the whole issue and seek compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.

3. Having regard to the fact that the draft notifications were issued on 05.06.2003 and 21.06.2003, respectively, and the declarations were issued on 06.06.2003 and 24.06.2003, respectively, the various

factors do not persuade us to entertain these writ appeals against the well considered order of the learned single Judge in which reasons have been stated cogently on the basis of undisputable facts. There is no ground to entertain these intra-court appeals under Letters Patent and the writ appeals, therefore, fail.

4. In the result, these Writ Appeals are dismissed leaving open the eligibility of the appellants to claim enhancement of compensation in accordance with law from competent jurisdictions under the Act 1894.

As a sequel thereto, Miscellaneous Applications, if any, pending in these Writ Appeals stand dismissed.



THOTTATHIL B. RADHAKRISHNAN, CJ

GUDISEVA SHYAM PRASAD, J

July 27, 2018.

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