

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.08.2019
CORAM
THE HONOURABLE Mr.JUSTICE M.DHANDAPANI
W.P. 24498 of 2010
and
M.P. 1 of 2010

R.Balasundaram

... Petitioner

Vs

1. The Secretary to Government,
Department of Revenue,
Government of Puducherry,
Puducherry.
 2. The Secretary to Government,
Welfare Department.
Government of Puducherry,
Puducherry.
 3. The Director,
Department of Adi Dravidar Welfare,
Government of Puducherry,
Puducherry.
 4. The Deputy Collector (Revenue) North
Cum Land Acquisition Officer,
Puducherry.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, to declare that the land acquisition proceedings in respect of the petitioner land comprised in R.S.No. 80/2B of Abhishegapakkam Village, Puducherry-7, has lapsed as per Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.

For Petitioner : Mr.S.Saravanan
For Respondents : Mr.G.D.Jearany
GA (Pondy cherry)

O R D E R

This Writ Petition has been filed to issue a Writ of Declaration, to declare that the land acquisition proceedings in respect of the petitioner land comprised in R.S.No. 80/2B of Abhishegapakkam Village, Puducherry-7, has lapsed as per Section

24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.

2. The petitioner has challenged the acquisition proceedings in this Writ Petition. Today, this Court has allowed the amendment petition in W.M.P.No.22243 of 2019 so as to avail the benefit of Sec.24(2) of the Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act, 2013, Act 30 of 2013 (hereinafter called as "Act").

3. Today, when the matter taken up for hearing, Mr.S.Saravanan, learned counsel appearing for the petitioner has expressed his desire to argue the matter under Sec.24(2) of the Act and he has further submitted that already the Hon'ble Apex Court has constituted a Larger Bench in the matter of State of Haryana Vs. G.D. Goenka Tourism Corpn. Ltd. and the Larger Bench passed an order dated 21.02.2018, wherein in paragraph 9, while referring the issue of Sec.24 of the Act to the Larger Bench, the Hon'ble Apex Court had requested all the High Courts not to deal with any cases relating to the interpretation of or concerning Sec.24 of the Act.

4. In view of the above, I am not inclined to deal with the prayer in this Writ Petition at this stage. Accordingly, the Writ Petition stands closed with the agreement that the ultimate decision of the matter before the Hon'ble Apex Court would also govern the present Writ Petitioner. However, the liberty is granted to the petitioner to file an appropriate petition after the verdict of the Larger Bench in order to enure the benefit of the decision of Hon'ble Apex Court. In the meanwhile, the interim order already granted by this Court continues till the decision of Hon'ble Apex Court. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

-s/d-
सत्यमेव जयते
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

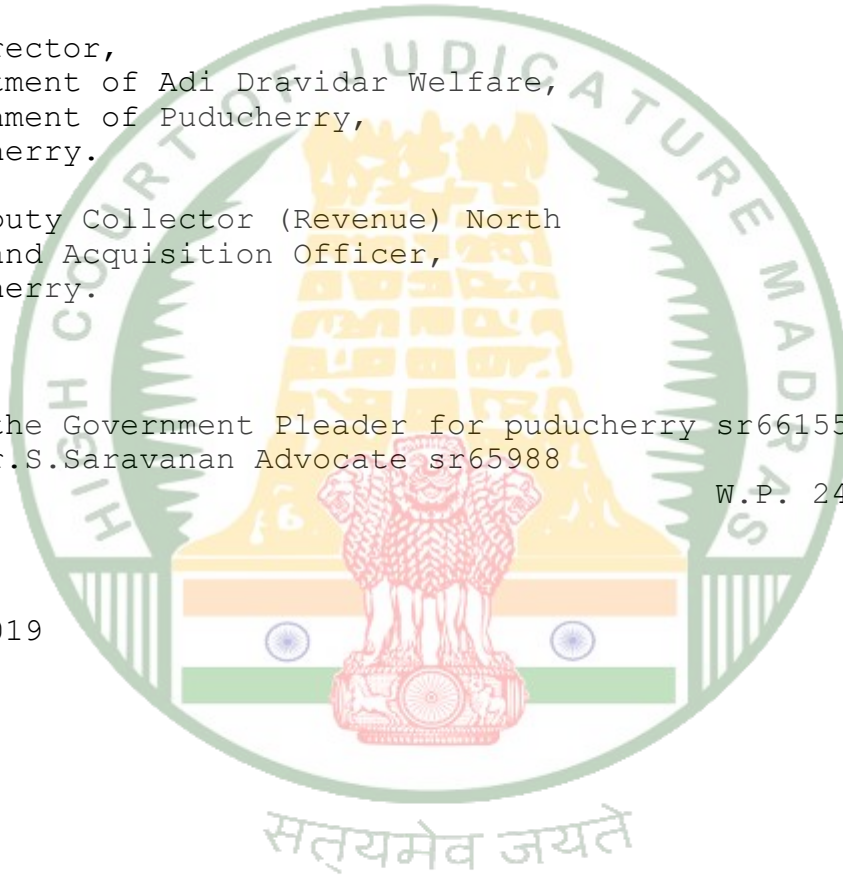
1. The Secretary to Government,
Department of Revenue,
Government of Puducherry,
Puducherry.
2. The Secretary to Government,
Welfare Department.
Government of Puducherry,
Puducherry.
3. The Director,
Department of Adi Dravidar Welfare,
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4. The Deputy Collector (Revenue) North
Cum Land Acquisition Officer,
Puducherry.

+1 cc to the Government Pleader for puducherry sr66155

+1 cc t Mr.S.Saravanan Advocate sr65988

W.P. 24498 of 2010

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