

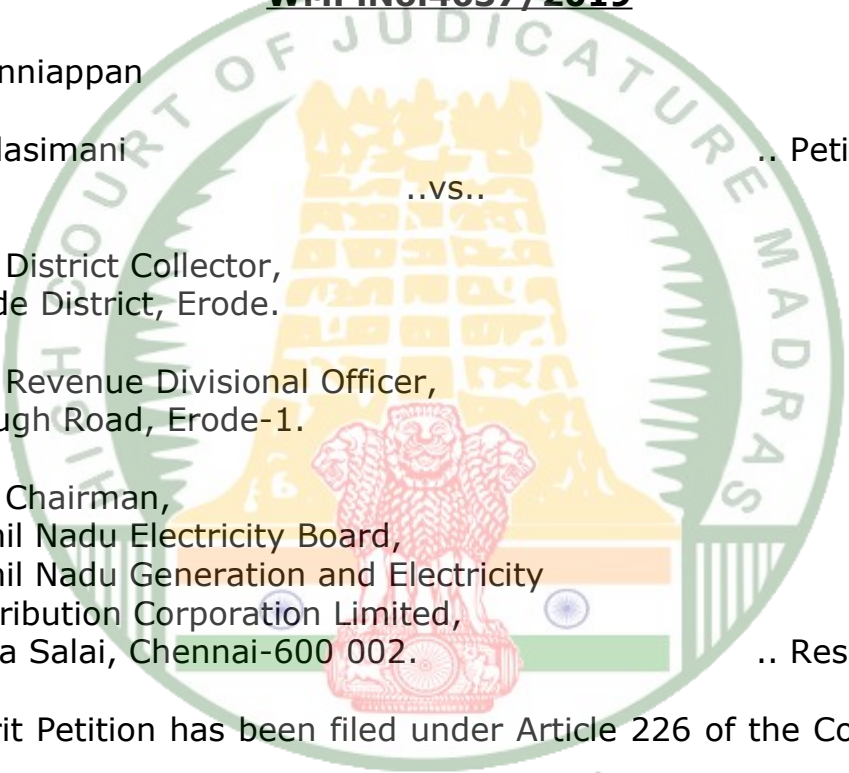
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2019

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THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.4129 of 2019 and
WMP.No.4637/2019

- 
1. Chenniappan
2. Thulasimani .. Petitioners
- ..VS..
1. The District Collector,
Erode District, Erode.
2. The Revenue Divisional Officer,
Brough Road, Erode-1.
3. The Chairman,
Tamil Nadu Electricity Board,
Tamil Nadu Generation and Electricity
Distribution Corporation Limited,
Anna Salai, Chennai-600 002. .. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to conduct enquiry under Section 28(A) of Land Acquisition Act in so far it relates to the petitioners land situated in S.Nos.132/6, 133/1 and 133/2, Anainasuvampalayam Village, Erode Taluk and District on the basis of the petitioner's written representation made on 10.01.2012 and legal notice dated 05.03.2015.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.C.Thirumaran, Spl.G.P.
1 and 2

For 3rd respondent : Mr.S.K.Raameshuwar

ORDER

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to conduct enquiry under Section 28(A) of Land Acquisition Act in so far it relates to the petitioners land situated in S.Nos.132/6, 133/1 and 133/2, Anainasuvampalayam Village, Erode Taluk and District on the basis of the petitioner's written representation made on 10.01.2012 and legal notice dated 05.03.2015.

2. Learned Counsel appearing for the petitioners submitted that the petitioners have made a representation dated 10.01.2012 to the District Collector, Erode, the 1st respondent herein, for pre-determination of compensation in respect of their lands acquired by the respondents under Section 28(A) of the Land Acquisition Act. But, till date no orders have been passed on the same. Hence, the petitioners are before this Court with this Writ Petition.

3. Learned Special Government Pleader appearing for the respondents 1 and 2 submitted that an enquiry notice was served on the petitioners and they have also appeared for enquiry on 18.02.2019 and the matter is pending consideration.

4. Learned Standing Counsel for the 3rd respondent submitted that the petitioners are not entitled to receive any compensation for the reason that they have not approached in time under the provision of the Act.

5. In view of all the above, the 1st respondent, namely, the District Collector, Erode, is hereby directed to complete the enquiry under Section 28(A) of the Land Acquisition Act on the representation of the petitioners dated 10.01.2012 by giving an opportunity to the 3rd respondent Tamil Nadu Electricity Board and pass final orders on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this Order. No costs. Consequently, connected Miscellaneous Petition is closed.

25.02.2019

Index : Yes/No
Internet : Yes/No
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D.KRISHNAKUMAR, J.

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To

1. The District Collector,
Erode District, Erode.
2. The Revenue Divisional Officer,
Brough Road, Erode-1.
3. The Chairman,
Tamil Nadu Electricity Board,
Tamil Nadu Generation and Electricity
Distribution Corporation Limited,
Anna Salai, Chennai-600 002.



W.P.No.4129 of 2019

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