

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.01.2019

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.33360 of 2018
and
WMP.No.38736 of 2018

1.Tmt.Geetha Padmini
2.Tmt.Ranga Nayaki

...Petitioners

Vs.

1.The District Collector,
Erode District,
Erode.

2.The Revenue Divisional Officer,
Erode District,
Erode.

3.The Tamil Nadu Housing Board,
Rep. by its Managing Director,
No.493, Anna Salai,
Nandanam, Chennai-600 035.

4.The Executive Engineer,
Tamil Nadu Housd, 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 amount of Rs.2,06,37,101/- together with interest at the rate of 15% from the date of order passed by the second respondent in and the proceedings in N1.A.No.2/89 dated 10.03.2017 till the disburse of the amount within a stipulated time to the petitioners.

For Petitioners : Mr.M.Balasubramanian

For Respondents : Mr.C.Thirumaran
Special Government Pleader
For R1 and R2
Mr.R.V.Babu for R3 and R4

O R D E R

This writ petition has been filed seeking a direction to the respondents to disburse the compensation amount to the petitioners.

2.The grievance of the petitioners is that the petitioners' land were acquired for the purpose of Tamil Nadu Housing Board and award was also passed in Award No.1 of 2015. Not being satisfied with the Award, the petitioners sought for a reference under Section 18(1) of the Land Acquisition Act seeking enhancement of compensation. The reference Court, by order dated 29.11.2016, made in L.A.O.P.No.6 of 2014, enhanced the compensation and the order passed by the reference Court has become final. Now more than 2 years had elapsed since the passing of the award, so far the respondents did not deposit the compensation amount. Hence, the present writ petition.

3.Earlier notice was ordered to the respondents. Today, when the matter came up for hearing, Mr.C.Thirumaran, learned Special Government Pleader appearing for the respondents 1 and 2, on instructions, submitted that the award proposal has already been sent to the Tamil Nadu Housing Board for depositing the compensation amount and as soon as money is deposited by the Housing Board, the Land Acquisition Officer will disburse the compensation amount to the petitioners.

4.Mr.R.V.Babu, the learned counsel appearing for the respondents 3 and 4 submitted that the Tamil Nadu Housing Board received the communication from the Land Acquisition Officer and within a period of 8 weeks, they will deposit the entire compensation amount payable to the petitioners.

5.Considering the above said submissions, the respondents 3 and 4 are directed to deposit the entire compensation amount, including the interest, within a period of eight weeks from today, on such deposit being made, the second respondent/Land Acquisition Officer, is directed to disburse the compensation amount to the petitioners within a period of two weeks thereafter.

6.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected WMP. is closed.

rrg

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Erode District,
Erode.

2.The Revenue Divisional Officer,
Erode District,
Erode.

3.The Managing Director,
The Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam, Chennai-600 035.

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

+1cc to M/s.M.Balasubramanian, Advocate, S.R.No.4894

+1cc to Mr.R.V.Babu, Advocate, S.R.No.4873

+1cc to the Government Pleader, S.R.No.5031

VSNI (CO)
KAK (28/01/2019)

W.P.No.33360 of 2018



WEB COPY