



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2019

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.13427 to 13439 of 2019

G.Chandrasekaran	... Petitioner in WP(MD). 13427/ 2019
A.Muthupandi	... Petitioner in WP(MD). 13428/ 2019
R.Regina Begum	... Petitioner in WP(MD). 13429/ 2019
B.Nagarathinam	... Petitioner in WP(MD). 13430/ 2019
M.Pitchai	... Petitioner in WP(MD). 13431/ 2019
M.Chandra	... Petitioner in WP(MD). 13432/ 2019
M.Dhilsath Begam	... Petitioner in WP(MD). 13433/ 2019
T.Amirtham Jeeval	... Petitioner in WP(MD). 13434/ 2019
V.Padmavathy	... Petitioner in WP(MD). 13435/ 2019
R.Padmanabhan	... Petitioner in WP(MD). 13436/ 2019
K.Selvi	... Petitioner in WP(MD). 13437/ 2019
K.Rajeswari	... Petitioner in WP(MD). 13438/ 2019
S.Ilavarasi	... Petitioner in WP(MD). 13439/ 2019

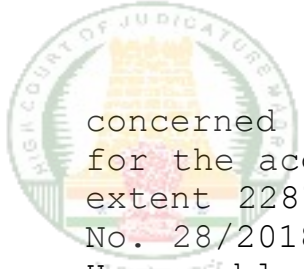
Vs. -

1. The District Collector
Madurai District, Madurai-625 020
2. The Special Tahsildar(LA),
Airport Extension Office,
Unit-II, Madurai-625 020

... Respondents in all Cases

Prayer in WP(MD). 13427/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to refer petitioners petition dated 3.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the



concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No. 462 / 3B2 an extent 2287 1/2 Sqft., 1937 1/2 Sqft and 2287 1/2 Sqft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13428/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to refer petitioners petition dated 03.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No. 462 / 3B2 an extent 2250 Sqft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13429/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to refer petitioners petition dated 3.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No. 316 / 2A1B an extent of 2490. 3/4 Sqft. in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13430/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to refer petitioners petition dated 03.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No. 462 / 3B2 an extent 6000 Sqft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13431/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to refer petitioners petition dated 3.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No. 457 / 1A4 an extent of 6600 Sq.feet., in Award No. 28/2018 dated 07.03.2019,

Prayer in WP(MD). 13432/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to refer petitioners petition dated 08.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No. 462 / 3B2 an extent 3431 1/4 Sqft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13433/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to refer petitioners petition dated 3.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No. 464 (5B), Plot No. 13& 14, total extent of the 2356 Sq.ft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13434/ 2019 :

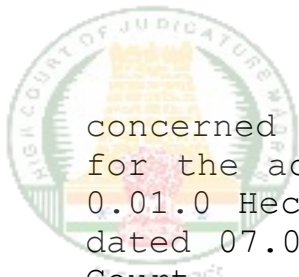
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to refer petitioners petition dated 03.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of her land in Survey No. 464(5A), Plot No.8 total extent of 1188 3/4 Sqft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13435/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondents to refer petitioners petition dated 3.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No. 464 (5C), Plot No.8 total extent of 1948 Sq.ft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13436/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to refer petitioners petition dated 03.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the



concerned Honourable Court to determine the enhanced compensation for the acquisition of his land in Survey No. 464/5H admeasuring 0.01.0 Hectares including area of 380 Sqft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

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Prayer in WP(MD). 13437/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondents to refer petitioners petition dated 3.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No. 464 (5E), Plot No.6, an extent of 1473.3/4 Sq.ft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13438/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to refer petitioners petition dated 03.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of her land in Survey No. 464(5D), Plot No.8 total extent of 1922 Sqft., in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

Prayer in WP(MD). 13439/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondents to refer petitioners petition dated 27.05.2019 U/s-8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997, Tamil Nadu Act 10 of 1999 to the concerned Honourable Court to determine the enhanced compensation for the acquisition of petitioners land in Survey No.464/5 and present Survey No. 464(5A) admeasuring 0.20.5 Hectares (Plot No.24, 25) in Award No. 28/2018 dated 07.03.2019, within the period stipulated by this Honourable Court

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.M.Murugan, G.A.

COMMON ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
The prayer in all these writ petitions is for a Writ of Mandamus, directing the 1st respondent to refer petitioners' respective petitions filed U/s.8 of the Tamil Nadu Acquisition of



Land for Industrial Purposes Act, 1997, Tamil Nadu Act 10 of 1999 to the concerned Court to determine the enhanced compensation for the acquisition of petitioners' respective land in Award No.28/2018 dated 07.03.2019 within the period stipulated by this Court.

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2.Heard Mr.A.Haja Mohideen, learned counsel appearing for the petitioners and Mr.M.Murugan, learned Government Advocate appearing for the respondents.

3.By consent of both sides, all these writ petitions are taken up for final disposal at the admission stage and accordingly, are disposed of by this common order.

4.In all these writ petitions, the respective petitioners are the land owners, whose lands had already been acquired under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, Tamil Nadu Act 10 of 1999 (hereinafter after referred to as 'the Act'). After the acquisition, the District Collector, based on the enquiry, has passed an award towards compensation and all the respective petitioners have received the award amount without prejudice to their right to seek for enhanced compensation. Accordingly, aggrieved over the said decision with regard to the quantum of compensation fixed by the 1st respondent Collector, these petitioners have made request/application under Sections 8 of the Act to the 1st respondent Collector to refer the matter to the competent Court to decide the plea of the respective petitioners for enhancement of compensation. However, these applications submitted by the respective petitioners before the 1st respondent under Section 8 of the Act since have not been acted upon and no reference so far has been made, these petitioners are before this Court.

5.I have heard the learned Government Advocate, who would submit that, certainly, if applications are filed under Section 8 of the Act before the 1st respondent Collector, those applications would be referred to the competent Court to take a decision with regard to the plea raised by the respective petitioners for enhancement of compensation and such an exercise would be undertaken within a time frame that may be fixed by this Court.

6.Considering the limited scope of the prayer sought for in all these writ petitions and after hearing the learned counsel appearing for the petitioners as well as the learned Government Advocate appearing for the respondents in all these cases, this Court is inclined to dispose of all these writ petitions by passing the following direction:

<https://hcservices.ecourts.gov.in/hcservices> 1st respondent, District Collector, is hereby directed to take up the respective applications filed by the petitioners herein under Section 8 of the Act and act



upon thereon, by referring the matter to the competent Court to decide the plea of the respective petitioners for enhancement of compensation. Such exercise of reference shall be made by the 1st respondent District Collector within a period of four weeks from the date of receipt of a copy of this order."

7. With the above direction, these petitions are disposed of. No costs.

Sd/-

Assistant Registrar (C.O.)

// True Copy //

Sub Assistant Registrar (CS)

Arul

To

1. The District Collector,
Madurai District,
Madurai - 625 020.

2. The Special Tahsildar (LA)
Airport Extension Office,
Unit II, Madurai - 625 020.

1CC TO MR. A. HAJA MOHIDEEN ADVOCATE SR 68808

1CC TO THE SPL GOVT PLEADER SR 69244

KM

17/07/2019

6P 5C

Order made in
W.P. (MD) No. 13427 to 13439 of 2019

Dated: 14.06.2019