



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.09.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P(MD)No.20338 and 20339 of 2019

Govindarajan

... Petitioner in W.P.(MD)No.20338 of 2019

Malarkodi

... Petitioner in W.P.(MD)No.20339 of 2019

/Vs./

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Special District Revenue Officer,
National Highways-45C (Land Acquisition),
Vikiravandi-Kumbakonam-Thanjavur Branch,
Thiruvarur.

3.The Tahsildar,
Thiruvidaimaruthur Taluk,
Thanjavur District.

... Respondents in both W.Ps

COMMON PRAYER: Writ Petitions - filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to issue the award amount of the acquired property as Rs.25 Lakhs and Rs.10 Lakhs for the petitioners and to allot alternate place for the survival of the petitioners and to give Government employment to anyone of the family member of the petitioner on the basis of the petitioners' representations dated 29.05.2018 and 05.03.2018 respectively.

For Petitioner : Mr.A.Rajaram (in both WPs)

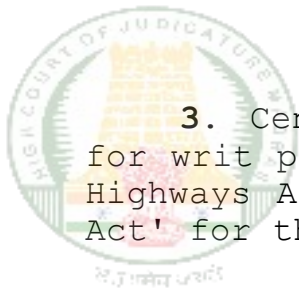
For Respondents : Ms.V.P.M.Vaishnavi

Government Advocate (in both WPs)

COMMON ORDER

Mr.A.Rajaram, learned counsel on behalf of writ petitioner in both writ petitions and Ms.V.P.M.Vaishnavi, learned Government Advocate, who accepts notice on behalf of all the three (3) respondents in both writ petitions are before this Court.

2. In the light of the submissions made, it comes to light that these writ petitions now turn on a very narrow compass. Therefore, with consent of learned counsel on both sides, main writ petitions are taken up, heard out and are being disposed of.



3. Central theme of these two writ petitions is compensation for writ petitioners, whose lands were acquired under 'The National Highways Act, 1956 (48 of 1956)' (hereinafter referred to as 'said Act' for the sake of brevity, clarity and convenience).

4. According to learned counsel for writ petitioners, compensation for writ petitioners' lands that were acquired under said Act has not been paid.

5. However, Learned State Counsel, advertng to proceedings dated 10.07.2017 bearing reference No.Na.Ka.1033/2011/A (page No.1 of the typed set of papers of writ petitioners) submits that compensation in accordance with provisions of said Act has been paid to atleast one of the two writ petitioners namely, Malarkodi, writ petitioner in W.P.(MD)No.20339 of 2019.

6. Learned counsel for writ petitioners submits that compensation has not been credited into the bank accounts of both the writ petitioners.

7. To be noted, writ petitioners have sent representations in this regard, where besides seeking compensation in accordance with said Act, writ petitioners have also sought Rs.10,00,000/- (Rupees Ten Lakhs only) and Government employment for one person in their families.

8. At the hearing, learned counsel for writ petitioners restricts the prayer to compensation in accordance with said Act or in other words learned counsel on instructions does not insist on compensation beyond the said Act and does not insist on other aforementioned requests in the representations.

9. It is made clear that writ petitioners restricting the prayers in the aforesaid manner, will not abridge the rights of the writ petitioners to assail compensation under said Act, if the writ petitioners find the same to be inadequate qua lands of writ petitioners that have been acquired. To be noted, that writ petitioners are entitled to compensation under said Act is beyond any disputation or disagreement.

10. The issue now stands narrowed down to whether the compensation has been credited into the accounts of the writ petitioners.

11. Therefore, these Writ Petitions are disposed of with a direction to second respondent to ensure that the compensation under said Act is credited into the respective accounts of writ petitioners as expeditiously as possible and in any event, within **eight (8) weeks from today**. No costs.



12. Though writ petitions are disposed of, Registry is directed to list these writ petitions under the caption '**For reporting compliance**' on **11.11.2019**.

WEB COPY

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Thanjavur District, Thanjavur.
2. The Special District Revenue Officer,
National Highways-45C (Land Acquisition),
Vikiravandi-Kumbakonam-Thanjavur Branch,
Thiruvarur.
3. The Tahsildar,
Thiruvidaimaruthur Taluk,
Thanjavur District.

**Copy to: The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai.
(Post the Petition for
Reporting Compliance on 11.11.2109)**

**Common Order made in
W.P(MD)No.20338 and 20339 of 2019**

**Dated:
20.09.2019**

CS(01.10.2019) 3P 5C