

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.11942 of 2020

Vatchala @ Sakunthala

... Petitioner

Vs.

The Special Tahsildar,
Land Acquisition Welfare,
Aadi Dravidar Welfare, Gudiyatham,
Vellore District

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus directing the Respondent to comply with the Court order dated 06.06.2018 passed in CMSA.No.42 of 2003 on the file of this Court by depositing the compensation amount of Rs.35,43,088/- due as on 24.7.2020 into the Subordinate Court, at Vellore, Vellore District to the credit of CMA No.9 of 1999.

For Petitioner : Mr.M. Nagu Sah

For Respondents: Mr.D. Raja,
Addl. Govt. Pleader

O R D E R

This Writ Petition has been filed for the issuance of Writ of Mandamus directing the respondents to pay the compensation to the petitioner pursuant to the orders passed by this Court in CMSA.No.42 of 2003 dated 6.6.2018.

2. Heard Mr. Nagu Sah, learned counsel appearing for the petitioner and Mr.D. Raja, learned Addl. Govt. Pleader appearing for the respondents.

3. It is seen from the records that the lands were acquired and an award was passed in the year 1998. Since the petitioner was not satisfied with the quantum of the award, the same was referred to the competent Civil Court and ultimately it reached this Court in CMSA.No.42 of 2003. This Court disposed of the appeal by an order dated 6.6.2018 by enhancing the compensation at the rate of Rs.11/- per square feet with interest at the rate of 9% per annum from the date of acquisition. The grievance of

the petitioner is that the amount has not been paid to the petitioner till date and the petitioner is entitled for a total sum of Rs,.35,43,088/-.

4.The petitioner has also issued a legal notice to the respondent on 13.2.2019, calling upon the respondent to pay compensation. Since the same was not acted upon, the present Writ Petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and also of the fact that this Court has fixed the compensation amount as early as in the year 2019, there shall be a direction to the respondent to settle the entire amount of compensation to the petitioner in accordance with the order passed by this Court in CMSA.No.42 of 2003 dated 6.6.2018, within a period of four months from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondent along with a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Msr

To

The Special Tahsildar,
Land Acquisition Welfare,
Aadi Dravidar Welfare, Gudiyatham,
Vellore District

+1cc to Mr.N.Nagusah, Advocate, S.R.No. 30854

+1cc to the Government Pleader, S.R.No. 30970

GJ(CO)
GN(19/11/2020)

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