

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.13713 of 2020

1. S.Palanisamy
 2. Thenammal
 3. Palaniammal
 4. Ramayee
- ... Petitioners

Vs.

1. The District Collector,
Namakkal district,
Collectorate Campus,
Thummankurichi,
Namakkal.
 2. The Special Tahsildar / Land Acquisition,
Adi Dravidar welfre,
Namakkal district,
Collectorate Campus,
Thummankurichi,
Namakkal
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to determine the market value afresh as per the provisions of Right to Fair Compensation and Transparency in Land Acquisition and Resettlement Act 2013 and to pass final award by providing 100% solatium and 12% additional amount adopting multiplier method as per First and Second schedules to the said Act in respect of the acquired lands situated at Rasipalayam Village, Mohanur Taluk, Namakkal District comprised in S.No.138/2B measuring an extent of 3.47 acres for the purpose of providing free house sites to the Arunthathiyar, Adi Dravidar and Devendrar of Rasipalayam Village, based on petitioner's representation dated 15.06.2020.

For Petitioner : Mr. S.Senthil

For Respondents: Mr.E.Balamurugan

Special Government Pleader

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to consider the representation made by the petitioner on 15.06.2020, wherein the petitioners are seeking for fixation of final compensation under the Right to Fair Compensation and Transparency in Land Acquisition and Resettlement Act 2013 (herein after called as the Act).

2. The case of the petitioners is that they were the owners of the subject property. This property was acquired under the Tamil Nadu Acquisition of Land for Harijan Welfare Scheme Act of 1978, during the year 2014. An interim award was also passed by the 2nd respondent on 02.03.2015 . It was made clear even while fixing the interim award that the final award of compensation will be determined under the new Act. There was no progress thereafter and therefore, the petitioners made a representation on 15.06.2020 in this regard. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate orders.

3. Heard the learned counsel appearing for the petitioners and Mr.E.Balamurugan, learned Special Government Pleader appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought in this writ petition, there shall be a direction to the 2nd respondent to consider the representation made by the petitioners on 15.06.2020 and to proceed further with the enquiry and pass the final award strictly in accordance with law, within a period of eight weeks from the date of receipt of copy of this order. The petitioners are directed to make a fresh representation to the 2nd respondent along with all the relevant documents and also a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rka

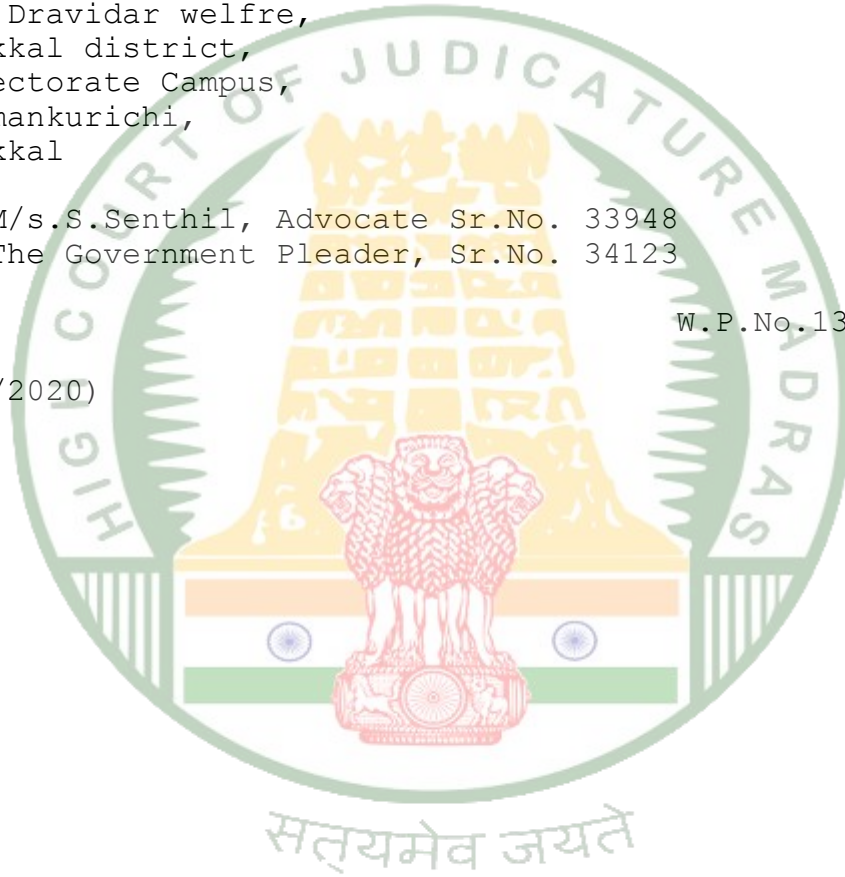
To

1. The District Collector,
Namakkal district,
Collectorate Campus,
Thumankurichi,
Namakkal.
2. The Special Tahsildar / Land Acquisition,
Adi Dravidar welfre,
Namakkal district,
Collectorate Campus,
Thumankurichi,
Namakkal

+1 cc to M/s.S.Senthil, Advocate Sr.No. 33948
+1 cc to The Government Pleader, Sr.No. 34123

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BS (CO)
RMP (01/12/2020)



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