

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2020

CORAM:

THE HON'BLE Mr. JUSTICE N.ANAND VENKATESH

Writ Petition No.13766 of 2020

Rathi

...Petitioner

Vs

- 1 Union of India, Rep. by the Secretary to Government
Revenue Department, Government of Pondicherry, Pondicherry
 - 2 Revenue officer Cum Land Acquisition Officer,
Central University, Land Acquisition Wing (Education
Department),
Pondicherry
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to pay interest to the petitioner in accordance with the provisions of the Land Acquisition Act in respect of the acquisition of lands comprised in R.S.No.102/2 (0.22.00) and 102/10 (0.14.00) measuring a total extent of 0.36.00 hectares at Kalapet Village, Pondicherry.

For Petitioner : Ms. Usha Ramman

For Respondents : Mr. A.V.Ramalingam, AGP.

O R D E R

This writ petition has been filed by the petitioner for the issuance of the writ of mandamus directing the respondents to pay interest to the petitioner in accordance with the provisions of the Land Acquisition Act in respect of the subject property.

2. I have heard learned counsel for the petitioner and the learned Additional Government Pleader, who accepts notice for the respondents.

3. The issue involved in this writ petition is covered by a decision of the learned Single Judge of this Court in Writ Petition No.1245 of 2020, dated 28.02.2020, the relevant portions of which read as follows :

"2. This Court during the earlier hearing on 13.2.2020 had passed the following self-explanatory order :

'2. Learned counsel for the petitioner submits that persons, who are similarly placed to the petitioner, had filed writ petitions in W.P.No. 36827 of 2004 etc., batch, seeking interest for compensation and this Court, by common order dated 14.9.2018, directed them to approach the second respondent and file a detailed representation along with calculation memo regarding their entitlement to interest and that the second respondent was required to consider the same and pass suitable orders on merits and in accordance with law after affording opportunity to them.

3. It is informed that the petitioner in this writ petition has already submitted his representation along with a calculation memo for entitlement of interest to the second respondent. The second respondent shall fix a date for conducting enquiry giving notice to the petitioner and after affording full opportunity of hearing, shall pass reasoned orders on merits and in accordance with law and communicate the decision taken under written acknowledgment and report of the compliance in that regard shall be filed on the next hearing'.

When the matter is taken up for hearing today, Learned Additional Government Pleader appearing for the respondents seeks extension of time to comply with the aforesaid order till 31.3.2020 and informs that the payment, if found, due to the petitioner would be made by 30.4.2020 under written acknowledgement. The report of such compliance shall be filed before the Registrar (Judicial) of this Court on or before 30.6.2020.

3. Accordingly, the writ petition is disposed of on the aforesaid terms."

4. The above decision was also followed subsequently in Writ Petition Nos.5667 and 5669 of 2020, dated 06.03.2020.

5. In view of the above, this writ petition is disposed of, in the aforesaid terms. The second respondent shall pass necessary orders in terms of the earlier orders passed by this Court in Writ Petition No.1245 of 2020, dated 28.02.2020, within a period of eight weeks from the date of receipt of a copy of

this order. The petitioner shall make a fresh representation to the second respondent along with the copy of this order and other relevant documents. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1 The Secretary to Government, Union of India,
Revenue Department, Government of Pondicherry, Pondicherry
- 2 Revenue officer Cum Land Acquisition Officer,
Central University, Land Acquisition Wing (Education
Department),
Pondicherry

+1cc to the Government Pleader, Pondicherry in S.R.No.33008

+1cc to M/s.Usha Ramman, Advocate, S.R.No.33098

Writ Petition No.13766 of 2020

SPD(CO)
RV(18/11/2020)



WEB COPY