

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.14275 of 2020

Aadhiyammal

...Petitioner

Vs.

- 1 THE STATE OF TAMIL NADU
REP. BY ITS SECRETARY TO GOVERNMENT
PUBLIC WORKS DEPARTMENT
SECRETARIAT, CHENNAI - 600 009.
- 2 THE COMMISSIONER OF LAND ADMINISTRATION
EZHILAGAM, CHEPAUK
CHENNAI - 600 005.
- 3 THE DISTRICT COLLECTOR
THIRUVALLUR DISTRICT,
THIRUVALLUR.
- 4 THE DISTRICT REVENUE OFFICER
THIRUVALLUR DISTRICT
THIRUVALLUR.
- 5 THE SPECIAL TAHSILDAR
(LAND ACQUISITION) UNIT IV
KANNANKOTTAI - THERVOYKANDIGAI RESERVOIR SCHEME
GUMMIDIPOONDI TALUK ALIAS KAVARAPETTAI
THIRUVALLUR DISTRICT.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to pay the compensaton for the lands belonging to the petitioner comprised in Survey NO.324/3 measuring an extent of 0.13.5 Hectares Patta No.785 situated at Village No.26, Konnankottai Village, Gummidipoondi Taluk, Thiruvallur District in terms of provisions of Central Land Acquisition Act 30 of 2013 as given to similarly situated persons pursuant to order in W.A.No.1666 of 2018 of this Honourable Court and consequently to provide all benefits in terms of Secs.31 and 38 of Act 30 of 2013 within the time frame fixed by this Honourable Court.

For Petitioners: Mr.N.Nithianandam

For Respondents: Mr.S.R.Rajagopal,
Additional Advocate General
assisted by
Mr.V.Anandha Moorthy,
Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to pay the compensation to the petitioners with respect to the subject property in terms of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 and in line with the earlier orders passed by the Hon'ble Division Bench of this Court in W.A.No.1666 of 2018 dated 14.12.2018.

2. Heard Mr.N.Nithianandam, learned counsel for the petitioners and Mr.S.R.Rajagopal, learned Additional Advocate General assisted by Mr.V.Anandha Moorthy, learned Additional Government Pleader appearing on behalf of the respondents.

3. The issue raised in the present Writ Petition is squarely covered by the earlier judgment passed by the Hon'ble Division Bench in W.A.No.1666 of 2018, dated 14.12.2018. Therefore, the petitioners in this Writ Petition, who are also similarly placed are entitled for the compensation in terms of 2013 Act with respect to the subject property.

4. In view of the above, there shall be a direction to the fifth respondent to pass final award in terms of the 2013 Act and the direction given by the Hon'ble Division Bench in W.A.No.1666 of 2018, within a period of eight weeks from the date of receipt of a copy of this order. Pursuant to the award passed by the fifth respondent, the compensation shall be paid to the petitioner within a period of eight weeks thereafter.

5. This Writ Petition is disposed of with the above directions. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mra

To

1 THE SECRETARY TO GOVERNMENT
STATE OF TAMIL NADU
PUBLIC WORKS DEPARTMENT
SECRETARIAT, CHENNAI - 600 009.

2 THE COMMISSIONER OF LAND ADMINISTRATION
EZHILAGAM, CHEPAUK
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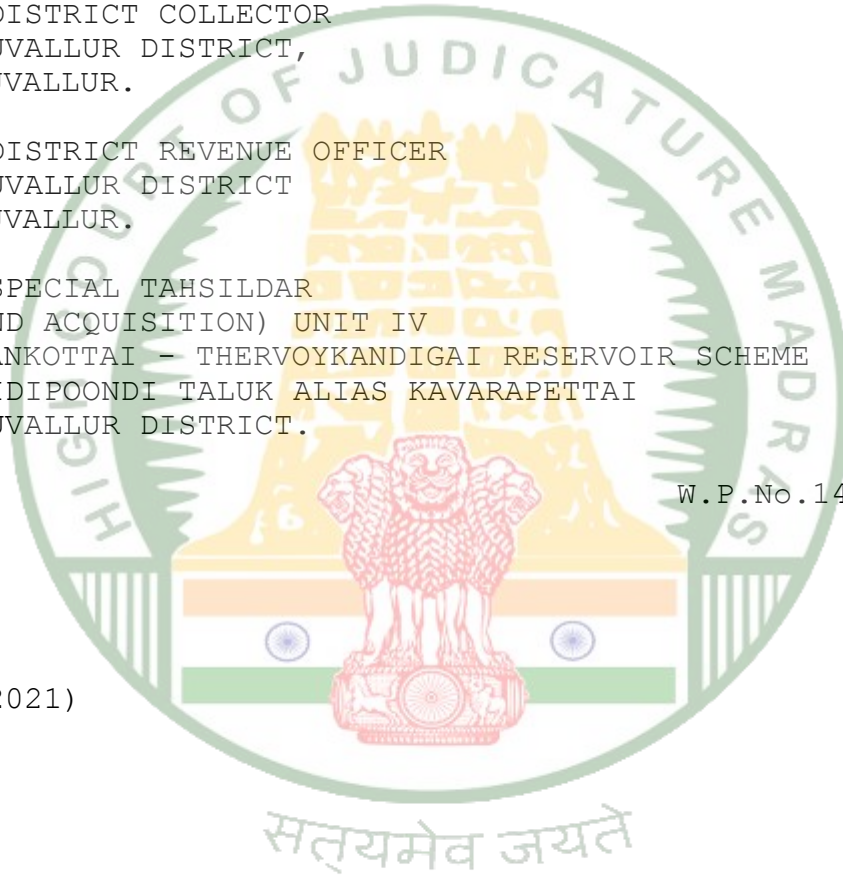
3 THE DISTRICT COLLECTOR
THIRUVALLUR DISTRICT,
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4 THE DISTRICT REVENUE OFFICER
THIRUVALLUR DISTRICT
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5 THE SPECIAL TAHSILDAR
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PP(CO)
SP(11/01/2021)



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