

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2020

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.15301 of 2020

M.Subramanian

...Petitioner

.Vs.

The Land Acquisition Officer,
& Revenue Divisional Officer,
(Power Grid Corporation of India Project)
Udayarpalayam, Udayarpalayam Taluk,
Ariyalur District.

...Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondent to pass final award relating to the interim award passed by the respondent in respect of the acquitted lands of the petitioner on the basis of the order passed by this Hon'ble Court in W.P.No.586 of 2017 dated 09.01.2017 and on the basis of communication of the respondent in Na.Ka.A3/2031/2011 dated 26.05.2017 within the time frame as fixed by this Hon'ble Court.

For Petitioner : Mr.K.Suresh

For Respondents: Mr.M.Elumalai

Additional Government Pleader

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondent to pass final award within the time limit fixed by this Court.

2. The case of the petitioner is that his lands were acquired by the respondent in the year 2013. Thereafter, provisional compensation was fixed and an interim award was passed on 31.10.2013. The grievance of the petitioner is that the respondent has not passed final award till date.

3. Heard Mr.K.Suresh, learned counsel for the petitioner and Mr.M.Elumalai, learned Additional Government Pleader appearing on behalf of respondent.

4. It is seen from records that this Court had an occasion to consider a similar request while disposing of W.P.No.586 of 2017 by an order dated 09.01.2017. This Court directed the respondent to consider the claim made for passing final award under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (hereinafter referred to as 'the Act, 2013'). The petitioner will also be entitled to get the same benefit that was given in the earlier orders passed by this Court. That apart, even the order passed by the respondent dated 26.05.2017 clearly shows that it was only an interim compensation and the final compensation will be determined under the 2013 Act. It is three years since this order was passed by the respondent. Therefore, left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate directions.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the respondent to pass the final award under the 2013 Act within a period of eight weeks from the date of receipt of a copy of this order and the final compensation shall be paid to the petitioner within a period of four weeks from the date of passing of the order fixing the final compensation. The petitioner is directed to make a fresh representation before the respondent along with all the relevant documents and also a copy of this order.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

The Land Acquisition Officer,
& Revenue Divisional Officer,
(Power Grid Corporation of India Project)
Udayarpalayam, Udayarpalayam Taluk,
Ariyalur District.

+2cc to Mr.K.Suresh, Advocate, S.R.No.39878

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