



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Thursday, the Tenth day of September Two Thousand and Twenty

PRESENT

The Hon'ble Mr.Justice D.KRISHNAKUMAR

WP(MD) Nos.1510 & 7816 of 2020

K.Pitchaiyan ...Petitioner in both the petitions

- Vs. -

1. The District Collector,
Thanjavur, Thanjavur District.
2. The District Revenue Officer,
Thanjavur, Thanjavur District.
3. The Special Thasildar (Land Acquisition),
Indian Air Force Extension,
Thanjavur, Thanjavur District.

...Respondents in both the petitions

Prayer in WP(MD).No.1510 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to disburse the 80 percent interim award amount Rs.8,61,200/- as per the order passed by the 1st respondent in his proceedings in Na.Ka.89558/2004/I1 dated 02.02.2019 as per the provision contemplated under section 40(3) of Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation Act,2013 in respect of the petitioners property in survey No. 97/16, to an extent of 0.32.0 Hectares, situated in Inathukkanpatti Village, Thanjavur District.

Prayer in WP(MD).No.7816 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus or any other appropriate Writ, order or direction in the nature of writ, to call for the records pertaining to the impugned reference order passed by the 1st respondent in his proceedings in R.C.No.89558/2004/11 dt 06.05.2020 and quash the same and consequently direct the 1st respondent to disburse the award amount of Rs.9,12,277/- as per section 77 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation Act, 2013, in



respect of the petitioners property in survey no.97/16, to an extent of 0.32.0 Hectares, situated at Inathukkanpatti Village, Thanjavur District.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.J.JEYAKUMARAN, Advocate for the petitioner in both the petitions and of MR.M.RAJARAJAN, Government Advocate on behalf of the Respondents in both the petitions, the court made the following order:-

Heard Mr.J.Jeyakumaran, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader appearing for the respondents.

2.Today when the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that since there is an objection from one Veeramani, except the writ petitioner, the compensation amount has been disbursed to all the land owners, on 05.09.2019.

3.In view of the above, this Court directs the learned Additional Government Pleader appearing for the respondents to ascertain the particulars of the case, which was assigned for the reference order passed by the District Collector, dated 21.03.2020, from the Department.

4.List the matter on 17.09.2020 for orders.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

1. The District Collector, Thanjavur Thanjavur District



2. The District Revenue Officer, Thanjavur Thanjavur District

3. The Special Thasildar (LA), Indian Air Force Extension,
Thanjavur, Thanjavur District

4. The Additional Government Pleader,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Section Officer, Writ Section,
Madurai Bench of Madras High Court, Madurai.

Order:

Dated 10.09.2020

WP (MD) Nos.1510 & 7816 of
2020

NR 15.09.2020 3P 6C