



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2021

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE C.SARAVANAN

W.A. No.1369 of 2021

M.Valimuthu

...Appellant/Petitioner

Vs.

1.The District Collector,
Tiruvallur District,
Tiruvallur.

2.The Special Tahsildhar,
(Land Acquisition),
Unit-2, Krishna Water Supply Project,
Tiruvallur.

...Respondents/Respondents

Writ Appeal is preferred under Clause 15 of the Letters Patent against the order dated 27.01.2020 made in W.P.No.10318 of 2019.

Prayer in W.P.No.10318/2019:

Writ Petition filed under Article 226 of the Constitution of India, for issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings passed by the Second Respondent herein in O.Mu.No. 90/2015, dated 27.12.2018 and quash the same and consequently direct the respondents herein to pay compensation for Petitioner's lands acquired for the purpose of Krishna Water Supply Canal Project, measuring 62 cents of agricultural land situated in Survey No. 296 at No. 55, Pullarambakkam Village, Tiruvallur Taluk and District, at the rate of Rs. 2,700/- per cent in par with the other land owners covered under the same award, under Section 28-A of the Land Acquisition Act.

For Appellant	: Mr.G.Karthikeyan
For Respondents	: Mr.S.John J. Raja Singh Government Counsel



JUDGMENT

(Judgment of the Court was made by M.M.SUNDRESH,J.)

WEB COPY This writ appeal has been preferred against the order of the learned single Judge in W.P.No.10318 of 2019 dated 27.01.2020, who in turn, dismissed it on the ground of principle of res judicata would apply as the earlier writ petition filed was dismissed on 25.09.2013.

2.Though the learned counsel appearing for the appellant seeks to contend on merit on the premise that the subsequent material can be taken into consideration, we are of the view that the reasoning of the learned single Judge is correct. Any new material can only be a ground and not by way of separate writ petition.

3.Taking into consideration the fact that the appellant seeks a reference and further taking note of the delay that has occurred due to the filing of the present writ proceedings, we are inclined to grant further period of eight weeks from the date of receipt of a copy of this judgment to file a review, if so advised, to review the order passed in W.P.26671 of 2013 on 25.09.2013, in which case, the Registry is directed to number it, without insisting upon the petition for condonation of delay.

4.The writ appeal stands disposed of accordingly. No costs.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

raa

To

1.The District Collector,
Tiruvallur District,
Tiruvallur.

2.The Special Tahsildhar,
(Land Acquisition),
Unit-2, Krishna Water Supply Project,
Tiruvallur.

+1 CC to Mr.G.Karthikeyan, Advocate sr 34577

+1 CC to The Government Pleader sr 34628.

W.A.No.1369 of 2021

NMI (CO)
SP(23/07/2021)