



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No.16987 of 2021

and

W.M.P.No.17997 of 2021

1.Sellammal
2.Renuka Devi
3.Selvakumar
4.Nachammal
5.Kirthana
6.Kavitha

.. Petitioners

Vs.

1. The District Collector
Namakkal District,
Namakkal.

2. The Land Acquisition Officer cum
Revenue Divisional Officer,
Master Plan Complex,
Namakkal.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pass fresh award by re-determining the amount of compensation in accordance with Sec.28A of the Land Acquisition Act, 1894 in the light of Judgment and Decree dated 28.02.2020, made in L.A.O.P.No.211 of 2000 on the file of the Land Acquisition Tribunal, Namakkal with respect to the land acquired from the Petitioners herein, comprised in Survey Nos.10/1B and 10/3B, measuring an extent of 1.00.5 hectare situated in Thummankurichi Village, Namakkal Taluk & District, based on the representation of the petitioners dated 19.07.2021.

For Petitioners : Mr.D.Vairamoorthy

For Respondents : Mr.K.M.D.Muhilan
(Govt.Advocate)



ORDER

This Writ Petition has been filed in the nature of Mandamus directing the 1st respondent / District Collector, Namakkal District to consider the representation of the petitioners dated 28.02.2020 seeking parity with respect to the award in LAOP.No.211 of 2000 which was on the file of the Land Acquisition Tribunal, Namakkal.

2.The petitioners' land in S.No.10/1B and 10/3B measuring 1.00.5 Hectares in Thummankurichi Village, Namakkal Taluk and District had been acquired by the respondent herein. Thereafter, the petitioners had given a representation on 19.07.2021. It is claimed by the learned counsel for the petitioners Mr.D.Vairamoorthy, that the said award was the subject matter of LAOP.No.211 of 2000 an order dated 28.02.2020. The compensation amount was enhanced. Seeking parity with those petitioners, a representation was given by the petitioners herein. Normally, there would be a limitation of three months in such matters, but however, the petitioners are saved by the orders of the Hon'ble Supreme Court and also by orders of this Court which extended the general period of limitation due to Covid-19 pandemic.

3.Let the 1st respondent, the District Collector, Namakkal District, examine the representation of the petitioners dated 19.07.2021, invite the petitioners herein for an enquiry, examine the revenue records, examine the orders of the Hon'ble Supreme Court granting extension of period of limitation owing to Covid-19 pandemic and if the petitioners are placed on the same level as that the petitioners in LAOP.No.211 of 2000, pass necessary orders. It is hoped that the 1st respondent would complete the said exercise within a period of twelve weeks from the date of receipt of a copy of this order.

4.With the said observations, the Writ Petition is disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

smv



To

1. The District Collector
Namakkal District,
Namakkal.
2. The Land Acquisition Officer cum
Revenue Divisional Officer,
Master Plan Complex,
Namakkal.

+1cc to M/s.S.Senthil , Advocate, S.R.No.40635

+1cc to the Government Pleader, S.R.No.41360

W.P.No.16987 of 2021

SMI (CO)
SU(09/09/2021)