



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.12001 OF 2017

1. K.K.Govindaraj
2. K.Narayanan
3. K.K.Raman

... Petitioners

-Vs-

1. The District Collector,
Erode District,
Erode.
2. The District Harijan and
Triba Welfare Officer,
Erode.
3. The Special Tahsildar,
Adhi Dravidar Welfare,
Satyamangalam.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to calculate the compensation in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, taking into the current market value of the lands acquired and pay the compensation within a time frame to be fixed by this Court.

For Petitioners : Mr.Kumaresh Babu
For Mr.V.Balamurugane

For Respondents

For R1 to R3 : Mr.Richardson Wilson
Government Advocate



ORDER

The Writ Petition has been filed to direct the respondents to calculate the compensation in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (herein after called as "the New Act") taking into the current market value of the lands acquired and pay the compensation within a time frame to be fixed by this Court.

2. Heard Mr.Kumaresh Babu, learned counsel appearing for the petitioner, Mr.Richardson Wilson, learned Government Advocate appearing for the respondents.

3. The learned counsel appearing for the petitioners submitted that vide proceedings in Na.Ka.59916/2002/j3 dated 06.08.2002, the District Adi Dravidar and Tribes Welfare Officer, Erode, directed the third respondent to consider the petitioners' request, as per the opinion of the first respondent, with regard to the assignment of agricultural land to an extent of 3 or 5 acres in favour of the petitioners. As directed by the Welfare Officer, the petitioners made representation repeatedly to the respondents and even then, the respondents did not consider the same.

4. Considering the same submission, the petitioners are directed to make fresh representation to the first respondent, within a period of two weeks from the date of receipt of copy of this Order. On receipt of the same, the first respondent is directed to consider the same, in view of the proceedings of the District Adi Dravidar and Tribes Welfare Officer, dated 06.08.2002 after giving opportunity of hearing to the petitioners and pass orders on merits and in accordance with law within a period of twelve weeks thereafter.

5. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rts



To

1. The District Collector,
Erode District,
Erode.

2. The District Harijan and
Tribal Welfare Officer,
Erode.

3. The Special Tahsildar,
Adhi Dravidar Welfare,
Satyamangalam.

+1cc to the Government Pleader, S.R.No.43019

W.P.NO.12001 OF 2017

NMI (CO)
PBS/22/09/2021