



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI
W.P. (MD)No.8070 of 2019
and
W.M.P. (MD)No.6375 of 2019

Sundaravimalnathan

: Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Public Works Department,
Chennai.

2.The Engineer in Chief,
Water Resources Department,
Public Works Department,
Chennai - 5.

3.The Chief Engineer,
Plan Formulation,
Water Resources Department,
Public Works Department,
Chennai - 5.

4.The District Collector,
Thanjavur.

5.The District Collector,
Nagapattinam.

6.The District Collector,
Cuddalore.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to pay compensation according to the Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, to the farmers for the land to be acquired for the construction of Barrage with bridges and head sluices across the river coleroon in Cuddalore, Nagapattinam, Thanjavur Districts at RD 74/3 mile as per G.O.Ms.No.83, Public Works (Q2) Department, dated 28.03.2018.



For Petitioner :

Mr.S.Muthukrishnan

For Respondents :

Mrs.J.Padmavathi Devi
Special Government Pleader

ORDER

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

Heard the learned Counsel appearing for the respective parties.

2. It appears that private lands were taken over and constructions were made, without paying the compensation. Under these circumstances, the petitioner has come forward to file this writ petition.

3. The learned Special Government Pleader, on instructions, submitted that compensation could not be paid in view of the ongoing election process for the Parliament. In fact, now, we are dealing with the Assembly Elections. Perhaps, the same situation would continue. However, the same cannot be a ground to decline the process of negotiation and payment of compensation, despite utilizing the private land.

4. In such view of the matter, the respondents 2 to 6 are directed to conclude the process of private negotiation with the land owners and settle the same, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T & P)

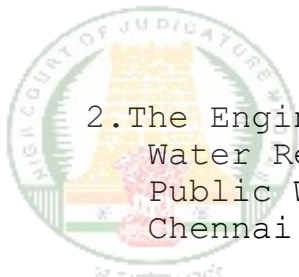
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/ /2021

Sub Assistant Registrar(CS)

To

1.The Secretary to Government,
State of Tamil Nadu,
Public Works Department,
Chennai.



2.The Engineer in Chief,
Water Resources Department,
Public Works Department,
Chennai - 5.

3.The Chief Engineer,
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4.The District Collector,
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5.The District Collector,
Nagapattinam.

6.The District Collector,
Cuddalore.

+1 CC to M/s.SPL GP (SR-14996[F] dated 01/04/2021)

W.P. (MD)No.8070 of 2019

KE (05.05.2021) 3P 8C