



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.02.2022

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1633 of 2022

C. Mohanasundaram

... Petitioner

Vs

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai-600 009.
2. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Anna Salai,
Chennai-600 035.
3. The District Collector,
Erode District, Perundurai Road,
Erode-11.
4. The Revenue Divisional Officer,
(Land Acquisition), Neighbourhood Scheme,
MeenakshiSundaranarSalai,
Erode-1.
5. The Executive Engineer/
Administrative Officer, Tamil Nadu Housing Board,
Sampath Nagar,
Erode, Erode District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to disburse the entire enhanced compensation together with interest and all other eligible benefits to the petitioner within a stipulated time fixed by this Court.

For Petitioner ... Mr. C. Prakasam

For Respondents ... Mrs. D. Tamil Selvi,
Additional Government Pleader for R1, R3 & R4
Mr. I. Sathish Senior Counsel for R2 & R5.



O R D E R

The present petition has been filed seeking a direction to the respondents for disbursal of the entire enhanced compensation along with the interest including the other eligible benefits to the petitioner within the time stipulated by this Court.

2. Mrs. D. Tamil Selvi,, learned Additional Government Pleader takes notice for the 1st, 3rd and the 4th respondent and Mr. I. Sathish, learned counsel takes notice for the 2nd and the 5th respondent.

3. It is the case of the petitioner that after the acquisition of the petitioner's land by the Tamil Nadu Housing Board in the year 1981, the award was passed in Award No.2/86 dated 11.09.1986 with meager amount of compensation. Being not satisfied with the award, the petitioner made an application before the competent authority, pursuant to which, the compensation amount was enhanced to the tune of Rs.6000 and fixed as Rs.2,34,000/- along with interest and other benefits. Against the said enhancement, the Special Tahsildar (L.A) Neighbourhood scheme, Erode had preferred an appeal before this Court in A.S.No.879 of 1996, however, the same was dismissed and the petitioner had filed cross appeal in A.S.No.399 of 1996, which was partly allowed and the compensation amount was fixed to the tune of Rs.6,534/- per are, apart from other benefits. However, the enhanced compensation amount was not paid to the petitioner. Therefore, the petitioner had made a representation dated 22.12.2021 to the respondents 2 to 4 to implement the order of this Court in A.S.No.399 of 1996, however, till date, the same has not been considered. Hence, the present petition has been filed seeking the aforesaid relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to respondents to consider the representation dated 22.12.2021 in the light of the order of this Court in A.S.No.399 of 1996 and dispose of the same within the time stipulated by this Court.

5. Heard the learned counsel on the either side and perused the materials available on record.

6. Upon perusal of the materials available on record, this Court without going into the merits of the case, directs the 3rd respondent herein is directed to consider the



representation dated 22.12.2021 by implementing the order of this Court in A.S.No.399 of 1996, within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai-600 009.
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Meenakshi Sundaranar Salai,
Erode-1.
5. The Executive Engineer/
Administrative Officer, Tamil Nadu Housing Board,
Sampath Nagar,
Erode, Erode District.

+1cc to Mr. I. Sathish, Advocate SR.No.8271
+1cc to the Government Pleader SR.No.8674

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AJS (CO)
GN(21/03/2022)