



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.3851 of 2021

Munikrishnan

...Petitioner

Vs

1.The Special Secretary to Government,
Public Works Department,
Secretariat, Fort St.George,
Chennai

2.The District Collector,
Collector Office,
Tirupattur District

3.The Sub-Collector,
Collector Office,
Tirupattur District

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay compensation for the acquisition of land belonging to the petitioner as determined by the Sub Court, Tirupattur in LAOP.No.50 of 2001 connected with LAOP.Nos.35 of 2001 to 54 of 2001 dated 19.08.2005.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.G.Krishna Raja,
Additional Government Pleader

ORDER

The writ petition has been filed for direction directing the respondents to pay compensation for the acquisition of land belonging to the petitioner as determined by the Sub Court, Tirupattur in LAOP.No.50 of 2001 connected with LAOP.Nos.35 of 2001 to 54 of 2001 dated 19.08.2005.

2. The case of the petitioner is that the land owned by the petitioner's predecessor were acquired by the third



respondent for the benefit of the first respondent for the purpose of Andiappoannoor Odai Reservoir Project. After acquisition, the third respondent passed award bearing award No.4 of 2000-2001 dated 06.01.2001. The petitioner received compensation under protest and sought for reference under Section 18 of the Land Acquisition Act, 1894 for enhancement of compensation. Accordingly, LAOP was preferred and numbered as LAOP.No.50 of 2001 connected with LAOP.Nos.35 of 2001 to 54 of 2001 along with other claimants on the file of the Sub Court, Tirupattur. By the judgment and decree dated 19.08.2005. the compensation amount was enhanced to Rs.8/- per sq.ft. Aggrieved by the same, the third respondent preferred appeal suits in AS.Sr.65072 of 2006, AS.Nos.152 to 157, 424 to 429 of 2007 and AS.Nos.343 to 347 of 2010. All the appeals were dismissed by this Court by judgment and decree dated 23.07.2010. There was no appeal aggrieved by the judgment and decree passed in the appeal suits. However, the enhanced compensation amount has not been paid till today and as such the petitioner made representation for deposit of the compensation amount.

3. Considering the above, the second respondent is directed to deposit the compensation amount as awarded in LAOP.No.50 of 2001 connected with LAOP.Nos.35 to 54 of 2001 on the file of the Sub Court, Tirupattur dated 19.08.2005 within a period of twelve weeks from the date of receipt of copy of this order.

4. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Special Secretary to Government,
Public Works Department,
Secretariat, Fort St.George,
Chennai



2.The District Collector,
Collector Office,
Tirupattur District

3.The Sub-Collector,
Collector Office,
Tirupattur District

+1 CC to Mr.V.Raghavachari, Advocate sr 7639
+1 CC to The Government Pleader sr 8069.

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KSM(CO)
SP(22/02/2022)