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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4766 of 2022
and W.M.P.No.4873 of 2022

1. G.Anandaselvi
2. R.Manickam
3. M.Indirani
4. V.Duraisamy
5. M.Chithambaram
6. L.Genkaiya
7. S.Jaganathan
8. K.Senthilkumar
9. K.H.Sivakumar
10. M.Kanthamani
11. R.Manickam
12. K.Manimegalai
13. R.Panjali
14. C.M.Periyasamy
15. R.Sivakumar
16. A.Rajan
17. V.Ravi
18. K.Sampathkumar
19. Dr.P.Selvam

... Petitioners

Vs.

1. The Government of Tamil Nadu
Represented by its Secretary,
Transport Department,
Fort St.George,
Chennai - 600 009.
2. The District Collector,
Coimbatore - 641 018.
3. The District Revenue Officer,
Coimbatore.



4. The Special District Revenue Officer,
Land Acquisition,
Coimbatore Airport Runway Expansion,
Coimbatore - 641 018.

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5. The Director,
Airport Authority of India,
Coimbatore.
6. The Director,
Airport Authority of India,
Chennai.

... Respondents

PRAYER: The Writ Petition filed under Section 226 of Constitution of India, pleaded to pass a Writ of Mandamus Writ or any other writ or order in the nature or writ directing the respondents 1 to 4 to pay compensation to the petitioners, along with interest, in terms of the orders dated 18.08.2020 made in the batch of writ petitions in W.P.No.2116/2017 by the Division Bench of this Hon'ble Court, considering the representation of the petitioners dated 17.01.2022, in respect of the lands of the petitioners land with building situated at Irugur Village, Unit-I, Block-16,17&18 comprised in Survey Nos.26/7F, 26/7B, 26/7E, 26/7G, 243/1A, 241/1, 255/3G, 241/1A at the earliest and fix the compensation with interest for land and building after conducting a proper valuation and fix proper value of the building and disburse the same, in accordance with law.

For Petitioners : Mr.G.Saravanabhavan

For Respondents : Mr.G.Krishnaraja
Additional Government Pleader

O R D E R

Writ Petition has been filed to direct the respondents 1 to 4 to pay compensation to the petitioners, along with interest, in terms of the orders dated 18.08.2020 made in the batch of writ petitions in W.P.No.2116/2017 by the Division Bench of this Hon'ble Court, considering the representation of the petitioners dated 17.01.2022, in respect of the lands of the petitioners land with building situated at Irugur Village, Unit-I, Block-16,17&18 comprised in Survey Nos.26/7F, 26/7B, 26/7E, 26/7G, 243/1A, 241/1, 255/3G, 241/1A at the earliest and fix the compensation with interest for land and building after conducting a proper valuation and fix proper value of the building and disburse the same, in accordance with law.



2. Mr.G.Krishnaraja, learned Additional Government Pleader takes notice for the respondents.

3. The case of the petitioners is that the petitioners had owned the subject properties in Survey Nos.26/7F, 26/7B, 26/7E, 26/7G, 243/1A, 241/1, 255/3G, 241/1A. The subject land were sought to be acquired for the expansion of the Coimbatore airport runway. The acquisition proceeding was initiated under the Tamil Nadu Acquisition of Land for Industrial Purpose Act, 1997. The show cause notice in terms of Section 3(2) came to be issued in the year 2012. The gazette notification of the acquisition under Section 3(1) was published on 2013 and 2014. The acquisition process was entangled with batch of writ petitions in W.P.Nos.2116/2017, 2709/2017, 13503/2017 on the file of the this Court. During the pendency of the above said writ petitions, the 2nd respondent conducted meetings to negotiate on the compensation amount and a consensus was arrived at on 06.03.2018 at the District level committee and the same was approved by the State level committee and the 1st respondent and the said consensus was also upheld by this Court and directed the 1st and 2nd respondents to disburse payments to the petitioner in the batch of writ petitions. However, the payment of compensation was stranded by the pendency of the above mentioned batch of writ petitions. Apart from the compensation, the 2nd respondent also promised to allot alternative site for the petitioners' accommodation. But the same was not allotted. Therefore, a collective representation was submitted on 16.09.2019 for payment of compensation at the earliest with interest before the 6th respondent. While so, the 4th respondent replied to the letter on 30.09.2019 that the compensation will be paid to the land owners after getting the funds from the 1st respondent. As the same was not considered, once again the petitioners made representation on 17.01.2022 before the respondents to pay compensation together with interest. 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 a direction to the respondents 1 to 4 to consider the petitioner's representation dated 17.01.2022 for payment of enhanced compensation, along with interest at the earliest and dispose of the same in accordance with law within a particular time frame fixed by this Court.



5. The learned Additional Government Pleader has no objection to the said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondents 1 to 4 to consider the petitioners' representations dated 17.01.2022 and pass appropriate orders on the same in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. Consequently, connected miscellaneous petition is closed. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

rgi/nhs
To

1. The Secretary,
Government of Tamil Nadu,
Transport Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Coimbatore - 641 018.
3. The District Revenue Officer,
Coimbatore.
4. The Special District Revenue Officer,
Land Acquisition,
Coimbatore Airport Runway Expansion,
Coimbatore - 641 018.
5. The Director,
Airport Authority of India,
Coimbatore.



6. The Director,
Airport Authority of India,
Chennai.

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+1cc to Mr.G.Saravanabhavan, Advocate Sr.14495

+1cc to the Government Pleader Sr.15511

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srg 28/03/2022