



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.7905 of 2022
and
W.M.P.No.7902 of 2022

1. K.Chinnan

2. C.Chandra

...Petitioners

Vs

1. The District Collector,
Dharmapuri District,
Dharmapuri.

2. The Special Tahsildhar,
Land Acquisition,
Hindustan Petroleum Corporation Limited (HPCL),
Dharmapuri.

...Respondents

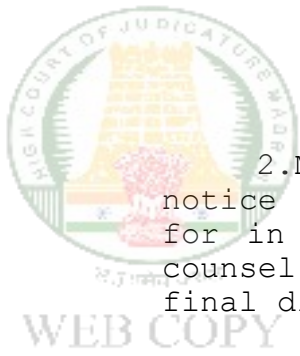
Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to furnish the copy of the award dated 21.06.2021 and also refer the claim for enhancement of compensation before the competent civil court U/s 8 of the Tamil Nadu Acquisition of Land for Industrial Purpose Act, 1999 (Act 10 of 1999) and fix the compensation as per the Land Acquisition and Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013).

For Petitioners : Mr.V.Chandrakanthan

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the respondents to furnish the copy of the award dated 21.06.2021 and also refer the claim for enhancement of compensation before the competent civil court U/s 8 of the Tamil Nadu Acquisition of Land for Industrial Purpose Act, 1999 (Act 10 of 1999) and fix the compensation as per the Land Acquisition and Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013).



2.Mr.P.Sathish, learned Additional Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition, on the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3.The case of the petitioners is that, the petitioners are the joint owners of the properties comprised in S.No.164/2A Part to an extent of 0.51.0 hectares and in S.No.165/2 Part to an extent of 0.30.0 hectares situated at Sivadi Village. The said lands were acquired under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Act 10 of 1997). Though an award has been passed on 24.06.2021 and the compensation has been fixed, the copy of the award was not furnished to the petitioners to enable them to refer the claim for enhancement of compensation before the competent Civil Court under Section 8 of the Tamil Nadu Acquisition of Land for Industrial Purpose Act, 1997 (Act 10 of 1997). Hence, this present petition is filed.

4.Though very many grounds have been raised, learned counsel for the petitioners submits that it would suffice if this Court issues direction to the second respondent to furnish the copy of the award to the petitioners to enable them to refer the claim for enhancement of compensation within a particular time frame fixed by this Court.

5.The learned Government Advocate has no objection for 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 second respondent to furnish the copy of the award dated 24.06.2021 to the petitioners to enable them to refer the claim before the competent Civil Court for enhancement of compensation, within a period of 4 (four) weeks from the date of receipt of a copy of this order.

7.With the above direction, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. No order as to costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Dharmapuri District,
Dharmapuri.

2. The Special Tahsildhar,
Land Acquisition,
Hindustan Petroleum Corporation Limited (HPCL),
Dharmapuri.

+1cc to M/s.V.Chandrakanthan, Advocate, S.R.No.22554

+1cc to the Special Government Pleader, S.R.No.23240

W.P.No.7905 of 2022
and

W.M.P.No.7902 of 2022

SKM(CO)
RGA(19/04/2022)