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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.7394 of 2022

S.Murugan

... Petitioner

Vs.

1.The District Collector,
Salem,
Salem District.

2.The Sub Collector,
Office of Sub Collector,
Mettur, Mettur Taluk,
Salem District.

3.The Joint General Manager,
Power Grid Corporation of India,
Konakkapadi K.R.Thoppu,
Omalur, Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to award compensation of Rs.2 Crores for 10,000 sq.mt. of land in Survey No.212/1 at M.Kalipatti Village, Mettur Taluk, by consider petitioner's representation dated 07.01.2021.

For Petitioner : Mr.M.Elango
For Respondents : Mr.V.Veluchamy
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents to award compensation of Rs.2 Crores for 10,000 sq.mt. of land in Survey No.212/1, situated at M.Kalipatti Village, Mettur Taluk, by considering petitioner's representation, dated 07.01.2021.

2. The learned Additional Government Pleader takes notice for the official respondents. In view of the limited relief sought for in this petition with the consent of the learned



counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the agricultural land in S.Nos.212/1, 212/14 and 213/1, to an extent of 4 Acres 8 Cents, situated at M.Kalipatti Village, Mettur Taluk, Salem District. In the said land, the Power Grid Corporation of India had constructed a high tension Electricity Tower in order to transport the power. The erection of Electricity Tower has occupied an area of 10,000 sq.mt. thereby affecting 2 acres of agricultural land of the petitioner. Hence, the petitioner made representation on 07.01.2021, to the 1st respondent, for fixing the compensation for an extent of 10,000 sq.mt of land. The 1st respondent has forwarded the said representation to the other respondents for conducting enquiry. However, the 2nd and 3rd respondent have not conducted the enquiry. Hence, this Writ Petition is filed with the aforesaid prayer.

4. Learned counsel appearing for the petitioner submitted that pursuant to the acquisition of lands to an extent of 10,000 sq.mtr., for the high tension electricity tower, the respondents have paid compensation only in so far as 5400 sq.mtrs., of land and for the balance extent of 4600 sq.mtr., of land, no compensation has been paid. Therefore, it is prayed that this Court may direct the 2nd and 3rd respondents to consider the petitioner's representation dated 07.01.2021 and pass appropriate orders for payment of compensation in accordance with the Land Acquisition Act for the balance portion of 4600 sq.mtr., within a time frame to be fixed by this Court.

5. Learned Additional Government Pleader appearing on behalf of the official respondents fairly concedes with the submission of the learned counsel for the petitioner, further submits that the representation of the petitioner for payment of compensation for the balance portion of 4600 sq.mtrs., will be considered by the respondents and orders passed within the time stipulated by this Court.

6. This Court, in view of the fair submission of the respondents that compensation for an extent of 4600 Sq.mtrs., is yet to be paid to the petitioner, without going into the merits of the issue, directs the 2nd and 3rd respondents to consider the petitioner's representation, dated 07.01.2021, for payment of compensation for the extent of 4600 sq.mtrs., and pass appropriate orders in accordance with law, after providing an opportunity of hearing to the petitioner and to the aggrieved parties if any, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Psa
To

- 1.The District Collector,
Salem,
Salem District.
- 2.The Sub Collector,
Office of Sub Collector,
Mettur, Mettur Taluk,
Salem District.
- 3.The Joint General Manager,
Power Grid Corporation of India,
Konakkapadi K.R.Thoppu,
Omalar, Salem District.

+1 cc to Mr.M.Elango, Advocate Sr.NO. 21567
+1 cc to Government Pleader Sr.NO. 22461

W.P. No.7394 of 2022

SVI (CO)
A.SK(12/04/2022)