



W.P.No.34551 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.34551 of 2015
and M.P.Nos.1 & 2 of 2015

Jyothi

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by Secretary,
Industries Department,
Fort St.George, Secretariat,
Chennai – 600 009.

2.The District Collector,
Cuddalore District,
Cuddalore.

3.The Special Tahsildar – LA No.15,
Neyveli – 2,
Chidambaram Taluk,
Cuddalore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records of the third respondent in Na.Ka.No.L4/194/2012 dated 09.06.2015 and quash the same and consequently, direct the respondents to determine the



W.P.No.34551 of 2015

compensation payable to the petitioners in respect of the petitioner's lands situated at U.Adhanur Village, Virudachalam Taluk, Cuddalore District lands comprised in S.No.93/2=0.79.15 extent, Patta No.195, under the Central Act No.30 of 2013.

For Petitioner : M/s.Narmadha Sampath

For Respondents : Mr.B.Vijay,
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking for issuance of Writ of Certiorarified Mandamus calling for the records of the third respondent in Na.Ka.No.L4/194/2012 dated 09.06.2015 and quash the same and consequently, direct the respondents to determine the compensation payable to the petitioners in respect of the petitioner's lands situated at U.Adhanur Village, Virudachalam Taluk, Cuddalore District lands comprised in S.No.93/2=0.79.15 extent, Patta No.195, under the Central Act No.30 of 2013.

2. The case of the petitioner is that the petitioner's land comprised in S.No.93/2 to an extent of 0.79.15 situated at U.Adhanur Village,



W.P.No.34551 of 2015

Virudachalam Taluk, Cuddalore District is an agricultural land and for the purpose of expansion of mine for Neyveli Lignite Corporation, the aforesaid lands were proposed to be acquired under Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997. Even though notice under section 3(2) of the aforesaid act was issued, nothing was heard thereafter. Therefore, the petitioner and other land owners made a request under the Right to Information Act regarding the status of the acquisition. In response, the third respondent sent a reply dated 09.10.2014 that various lands situated in Kattazhai and other villages are to be acquired under the Land Acquisition Industrial Purpose Act and the interim compensation will be paid to the land owners with reference to Central Act No.30 of 2013. This being so, the third respondent has issued a notice calling upon the petitioner to appear for an award enquiry on 02.07.2015 and the petitioner had also appeared before the third respondent with his objections. Since the petitioner was not allowed to make any representation, he sent the objections by RPAD. The present writ petition is being filed, questioning the award notice issued under the State Enactment, which is no longer available for determination of compensation.



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3. Learned counsel for the petitioner would submit that though very many grounds have been raised in this writ petition, it would suffice, if this court issues direction to the respondents to pass the award of compensation in terms of Act 30 of 2013 within a stipulated time as fixed by this court.

4. Learned Additional Government Pleader appearing for the respondents would submit that during the pendency of this writ petition, the respondents passed interim award in terms of Act 30 of 2013 and the final award was passed on 14.02.2022 and the petitioner has also received the entire compensation through E.C.S on 12.09.2022.

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

6. In view of the above, no further order is necessary. If the petitioner is not satisfied with the quantum of compensation awarded, it is open to her to file an application for enhancement of compensation under Section 18 of the Land Acquisition Act r/w section 64 of Act 30 of 2013. No costs.



W.P.No.34551 of 2015

Consequently, connected miscellaneous petitions are closed.

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7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

13.10.2022

2/2

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Index : Yes/No

Speaking Order : Yes/No

To:

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W.P.No.34551 of 2015

M.DHANDAPANI,J.

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W.P.No.34551 of 2015

Page No.6 of 7



WEB COPY



W.P.No.34551 of 2015

13.10.2022