

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5674 of 2015

And

W.M.P.No.15506 of 2018 and M.P.No.1 of 2015

S.Jebamani Immanuel

... Petitioner

Vs.

1.The Director,
Survey and Land Records,
Puducherry.

2.Uzhavarkarai Municipality
Rep. by the Commissioner,
Puducherry.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration declaring that the acquisition of the petitioner's land to the extent of 900 sq.ft. in R.S.No.91/1, at Karuvadi Kuppam Revenue Village, Uzhavarkarai Municipality, Puduvai without even any Notice under the Land Acquisition Act, 1894 as unconstitutional and ultravires and consequently direct the respondents to pay the compensation and the market value of the land with 18% interest from the date of the acquisition.

For Petitioner : M/s.M.Srividhya
For Respondents : Mr.V.P.Chamuraj
for Ms.V.Usha
Additional Government Pleader (Pondicherry)

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Declaration declaring that the acquisition of the petitioner's land to the extent of 900 sq.ft. in R.S.No.91/1, at Karuvadi Kuppam Revenue Village, Uzhavarkarai Municipality, Puduvai without even any Notice under the Land Acquisition Act, 1894 as unconstitutional and ultravires and to consequently direct the respondents to pay the compensation and the market value of the land with 18% interest from the date of the acquisition.

2.Though the writ petition has been filed seeking a larger relief, the learned counsel appearing for the petitioner submitted that it would suffice, if this Court, permits the petitioner to make representation to the respondents seeking payment of adequate compensation and issues direction to the respondents to consider the said representation and to pass appropriate orders within a reasonable time frame.

3.Considering the limited relief now sought for by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, permits the petitioner to make representation to the respondents with regard to payment of adequate compensation, within a period of two weeks from the date of receipt of a copy of this order. If any such representation is made by the petitioner, the respondents shall consider the same, on merits and in accordance with law and shall pass appropriate orders, within a period of six weeks thereafter.

4.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

26.04.2022

pri
Speaking Order/ Non Speaking Order
Index: Yes/ No Internet: Yes/ No

To

1.The Director,
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M.DHANDAPANI,J.
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