



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.04.2022

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.9886, 9889 & 9892 of 2022

1.V. Vanitha	..Petitioner (in W.P.No.9886 of 2022)
2.V. Nithya	..Petitioner (in W.P.No.9889 of 2022)
3.K. Parameswari	..Petitioner (in W.P.No.9892 of 2022)

Vs

1. The Governement of Puducherry,
Rep.by its The chief Secretary,
Puducherry Union Territory.

2. The Deputy Collector,
Office of the Deputy Collector (Revenue)
Cum-Land Acquisition Officer,
Karaikkal,PondicherryUT. ...Respondents in all Writ Petitions

PRAYER IN ALL WPs: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Declaration, declaring that the land acquisition proceedings initiated by issuance of notification under Section 4(1) of the The Land Acquisition Act 1894, vide G.O.Ms.no.52, Department of Revenue and Disaster Management Government of Puducherry dated 13.12.2010 followed declaration made under Section 6 of the land Acquisition Act 1894 vide G.O.Ms.No.59 dated 31.01.2011 by Department of Revenue and Disaster Management Government of Puducherry non est in law in view of Section 24(1) of The Right to fair Compensation and Transparency in Land Acquisition Rehabilitaion and Resettlement Act, 2013 consequently direct the respondent to hand over the vacant position to me.

In all WPs:

For Petitioner ... Mr. K.R.Gunashekar

For Respondents ... Mr. J. Kumaran,
Additional Government Pleader



COMMON ORDER

Since, the issue involved in all these Writ Petitions are similar in nature, all these petitions are taken up for final disposal by way of a common order.

2. These petitions have been filed seeking declaration of the land acquisition proceedings initiated by issuance of notification under Section 4(1) of The Land Acquisition Act 1894, vide G.O.Ms.No.52, Department of Revenue and Disaster Management Government of Puducherry dated 13.12.2010 and a direction to the respondent to hand over the vacant position to the petitioner.

3. It is the case of the petitioners that their lands were acquired under Section 4(1) of the Land Acquisition Act 1894, vide G.O.Ms.No.52, Department of Revenue and Disaster Management Government of Puducherry dated 13.12.2010 for the purpose of setting up Coast Guard Station at Karaikal District, followed by declaration made under Section 6 of the Land Acquisition Act 1894 vide G.O.Ms.No.59 dated 31.01.2011. Subsequently, the petitioners were paid a paltry sum as award, however, till date, no final award has been passed towards the said acquisition. Hence, the petitioner made a representation dated 17.08.2021 before the 2nd Respondent herein for payment of compensation amount, however, till date, the same has not been considered. Hence, the petitioner has come up with the present petition.

4. Learned counsel for the petitioners submits that though the petitioners were paid with a meager amount of compensation towards the acquisition, taking note of the fact that the final award has not yet been passed by the 2nd Respondent, this Court may issue a direction to the 2nd Respondent herein to pass the award under Section 24(1)(a) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 within the time that may be stipulated by this Court.

5. Learned Additional Government Pleader appearing for the respondents fairly concedes that the final award has not yet been passed, however, the same will be passed under Section 24(1)(a) of the Right to Fair Compensation and transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.

6. Recording the fair submission of the learned Additional Government Pleader, these Writ Petitions are disposed



of with a direction to the 2nd Respondent herein to pass the Award in terms of 24(1)(A) of the Act, towards the acquisition of the subject lands, within a period of twelve weeks from the date of receipt of a copy of this order. No Costs.

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7. If at all the petitioners have any grievance with regard to the compensation, liberty is granted to the petitioners to work out their remedy in terms of Section 64 of the Act.

Sd/-

Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

NHS
To

1. The chief Secretary,
The Government of Puducherry,
Puducherry Union Territory.
2. The Deputy Collector,
Office of the Deputy Collector (Revenue)
Cum-Land Acquisition Officer,
Karaikkal, Pondicherry UT.

+3 cc to M/s.K.R.Gunashekar Advocate sr30107
+1 ccs to the Government Pleader Pondicherry
sr nos.30559, 30560 and 30561/2022

W.P.No.9886, 9889 &
9892 of 2022

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