



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.10231 of 2022

M.Perumal

...Petitioner

vs.

1. The District Collector,
Namakkal.
 2. The District Revenue Officer / Land Acquisition Officer,
Namakkal.
 3. The Special Thasildar (Land Acquisition),
Rasipuram Bye Pass Road,
Rasipuram, Namakkal District.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to deposit the award amount as per the award passed by the second respondent dated 30.09.2013 in Award No.8/2012-2013 along with interest at the rate of 24% per annum from the date of the said award within a reasonable time as fixed by this Hon'ble Court.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

This writ petition has been filed seeking for issuance of a writ of Mandamus to direct the respondents to deposit the award amount as per the award passed by the second respondent dated 30.09.2013 in Award No.8/2012-2013 along with interest at the rate of 24% per annum from the date of the said award.

2.The case of the petitioner is that he is the owner of the land in S.F.No.72/5 of an extent of 250 Sq.mt. situated at Pillanallur Village, Rasipuram Taluk, Namakkal District. Thereafter, the first respondent issued notice on 02.11.2010 under Section 15(2) of Tamil Nadu Highways Land Acquisition Act



2001 and the said land was acquired by the respondents for the purpose of formation of Rasipuram By-pass road. While so, the second respondent vide proceedings dated 30.09.2013 passed an Award. However, the Award amount was not paid to the petitioner, hence he made representation to the first respondent on 13.08.2018, to deposit the Award amount as per the Award passed by the second respondent. Since the same was not considered, the petitioner has filed the present Writ Petition seeking the aforesaid relief.

3.Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 13.08.2018 and pass orders on merits within a particular time frame to be fixed by this Court.

4.The learned Additional Government Pleader appearing for respondents has no objection for said order being passed.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the second respondent to consider the said representation of the petitioner dated 13.08.2018 and to pay a fair compensation as per the Award dated 30.09.2013, in Award No.8 of 2012-2013 and pass appropriate orders, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Namakkal.



2. The District Revenue Officer / Land Acquisition Officer,
Namakkal.

3. The Special Thasildar (Land Acquisition),
Rasipuram Bye Pass Road,
Rasipuram, Namakkal District.

+1cc to Mr.R.Nalliappan, Advocate, S.R.No.29151

+1cc to the Government Pleader, S.R.No.30425

W.P.No.10231 of 2022

VG-II(CO)

RGA(01/06/2022)