

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.12383 of 2022

Annammal

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri 636 705.

2.The Special Tahsildar (LAO),
Adi Dravida Welfare,
Pappireddipatti Taluk,
Dharmapuri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to refer the matter to the competent civil court for the determination of the higher compensation under Section 18(1) of the land acquisition act 1894 in so far as the acquired land of the petitioner's property in survey No.285/2, to an extent of 0.74.5 Hectors (1.84 Acres) situated in B.Thatampatti Village, Pappireddipatti Taluk, Dharmapuri District is concerned based on the petitioner's representation dated 01.02.2021 and 16.02.2021.

For Petitioner : Mr.V.R.Annagandhi

For Respondents: Mr.S.Hohn J. Raja Singh
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for a mandamus to direct the respondents to refer the matter to competent civil court for determination of the higher compensation under Section 18 (1) of the Land Acquisition Act, 1894 in so far as the acquired land of the petitioner's property in S.No.258/2 to measuring an extent of 0.74.5 Hectors (1.84 Acres) in B.Thatampatti Village, Pappireddipatti Taluk, Dharmapuri District based on the petitioner's representations dated 01.02.2021 and 16.02.2021.

2.Though the Land Acquisition Act, 1984 has been substituted, it is noticed that the respondents have now submitted that they will sent appropriate application under Section 18(1) to the Subordinate Court having jurisdiction for enhancing the compensation. In view of the categorical stand taken by The Special Tahsildar (LAO), Adi Dravidar Welfare in their communication dated 20.6.2022 addressed to The Additional Government Pleader, Government Pleaders Office, High Court of Madras, I am inclined to close this writ petition by directing the respondents to act any furtherance of the aforesaid instructions which stands recorded. Relevant portion of the communication dated 20.06.2022 reads as under:

"6.It is respectfully submitted that in view of the above circumstances, on behalf of the respondent No.1 and 2, I kindly request you to procure us a maximum time period of Twelve Weeks from the date of hearing of the subject mentioned Writ Petition W.P.No.12383 of 2022, pending on the file of the Hon'ble High Court of Judicature at Madras, during which we shall be able to send the Section 18(1) proposal to the concerned Subordinate Court having jurisdiction."

4.Accordingly, this writ petition stands closed. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Special Tahsildar (LAO),
Adi Dravida Welfare,
Pappireddipatti Taluk,
Dharmapuri District.

+1cc to Mr.V.R.Annagandhi, Advocate, S.R.No.40821

+1cc to the Government Pleader, S.R.No.42020

W.P.No.12383 of 2022

RK(CO)
SB(21/07/2022)