

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.06.2022
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.14448, 14452, 14453 & 14455 of 2022
and
W.M.P.No.13660 of 2022

1. Poorani
 2. Govindan
 3. Veerappan
 4. Manjiny
 5. Andjalatchy
 6. Amourdammalle
 7. Sarasvady
 8. Annamme ...Petitioners in W.P.No.14448 of 2022
- Radhakrishnan ...Petitioner in W.P.No.14452 of 2022
- Annapoorani ...Petitioner in W.P.No.14453 of 2022
- Seetharaman ...Petitioner in W.P.No.14455 of 2022

Vs.

1. The Union of India,
Rep. by the Secretary to Government,
Revenue Department, Government of Pondicherry,
Pondicherry.
2. The Revenue Officer-cum-Land Acquisition Officer,
Central University,
Land Acquisition Wing,
(Education Department),
Pondicherry. ...Respondents in all WPs.

Prayer in W.P.No.14448 of 2022: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay interest to the petitioner in accordance with the provisions of the Land Acquisition Act in respect of the acquisition of lands comprised in R.S.Nos.85/3 and 50/1 for an extent of 0-27-00 and 0-62-65 hectares respectively at Pillaichavady and Kalapet, Pondicherry.

Prayer in W.P.No.14452 of 2022: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay interest to the

petitioner in accordance with the provisions of the Land Acquisition Act in respect of the acquisition of lands comprised in R.S.Nos.91 and 92 for an extent of 0-31-23 hectares at Pillaichavady, Pondicherry.

Prayer in W.P.No.14453 of 2022: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay interest to the petitioner in accordance with the provisions of the Land Acquisition Act in respect of the acquisition of lands comprised in R.S.No.79/3 for an extent of 0-16-00 hectares at Kalapet, Pondicherry.

Prayer in W.P.No.14455 of 2022: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay interest to the petitioner in accordance with the provisions of the Land Acquisition Act in respect of the acquisition of lands comprised in R.S.No.198/14 for an extent of 0-18-50 hectares at Kalapet, Pondicherry.

For Petitioners : M/s.Usha Ramman
(in all W.Ps.)

For Respondents : Mr.J.Kumaran, AGP.
(in all W.Ps.)

C O M M O N O R D E R

The petitioners have filed these Writ petitions seeking issuance of a Writ of Mandamus to direct the respondents to pay the interest to the petitioners in respect of their acquired lands, as early as possible.

2. Learned Additional Government Pleader takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final hearing.

3. The case of the petitioners is that, the petitioners lands were acquired for the purpose of establishment of Central University under Phase II and Phase V of the Land Acquisition Act (in short 'Act') by invoking urgency provision and two Award were passed by fixing a compensation of Rs.234/- and Rs.318/- per Are, which was thereafter enhanced. In order avail the benefit of enhancement, the petitioners made applications before the authorities and by considering the same, the authority paid the enhanced compensation to the petitioners respectively, however, the interest for the same was not paid to the

petitioners. Therefore, the petitioners made several representations seeking payment of interest, however, the same were kept pending on the ground that, the subject matter was pending before this Court and subsequently, before the Hon'ble Apex Court. It is pertinent to note that, though, the proceedings of the subject matter was taken up by the Apex Court and the same was ended in favour of the similarly situated persons, however, till date, the petitioners representations dated 18.10.2021, 20.12.2021, 13.12.2021 and 18.10.2021 respectively, seeking payment of interest for the enhanced compensation were not considered and the petitioners were not paid with the interest. Hence, these Writ petitions are filed.

4. Though very many grounds have been raised, learned counsel for the petitioners submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioners' representations dated 18.10.2021, 20.12.2021, 13.12.2021 and 18.10.2021 respectively and pay the interest amount to the petitioners as early as possible.

5. Learned Additional Government Pleader appearing on behalf of the respondents has no serious objection for the said order being passed and he fairly submitted that, the petitioners representations dated 18.10.2021, 20.12.2021, 13.12.2021 and 18.10.2021 respectively, will be considered and appropriate orders will be passed on merits within the time that may be stipulated by this Court.

6. In view of the above submission, this Court without expressing any opinion on the merits of the case, issues direction to the respondents to consider the petitioners' representations dated 18.10.2021, 20.12.2021, 13.12.2021 and 18.10.2021 respectively, on merits and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners.

7. Accordingly, these Writ petitions are disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

skt

To

1. The Secretary to Government,
Union of India,
Revenue Department, Government of Pondicherry,
Pondicherry.
2. The Revenue Officer-cum-Land Acquisition Officer,
Central University,
Land Acquisition Wing,
(Education Department),
Pondicherry.

+4 ccs to M/s.Usha Ramman, Advocate Sr.NO.

34552,34551,34550 & 34549

+1 cc to Government Pleader Sr.NOs. 34933,34932

W.P.Nos.14448, 14452, 14453 & 14455 of 2022
and

W.M.P.No.13660 of 2022

BR(CO)

A.SK(14/07/2022)