

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. Nos.15277 & 15375 of 2022

G.Rajeswaran

...Petitioner in W.P.No.15277 of 2022

N.Devarajan

...Petitioner in W.P.No.15375 of 2022

vs.

1. The Secretary to Government,
Transport Department, Fort St. George,
Secretariat, Chennai-9.
2. The District Collector,
Coimbatore - 641 018
3. The District Revenue Officer,
Coimbatore - 641 018
4. The Special District Revenue Officer,
Land Acquisition,
Coimbatore Airport Runway Extension,
Coimbatore - 641 018
5. The Director,
Airport Authority of India,
Chennai.
6. The Director,
Airport Authority of India,
Coimbatore.

.. Respondents in both the petitions

PRAYER in W.P.No.15277 of 2022:Writ Petition filed under Article 226 of the Constitution of India, to issue an order or direction or Writ and in particular Writ in the nature of a Writ of Mandamus directing the respondents 1 to 4 to pay the compensation to the petitioner along with interest in terms of the orders dated 18.08.2020 made in the batch of writ petitions in W.P.No.2116/2017 by the Hon'ble Division Bench of this Court , in respect of the petitioner's land situated at

Kalapatty Village, Unit - 2, Block-9 comprised in Survey No.666/2 & 668/3 measuring to an extent of 8.224 cents in accordance with law.

PRAYER in W.P.No.15375 of 2022:Writ Petition filed under Article 226 of the Constitution of India, to issue an order or direction or Writ and in particular Writ in the nature of a Writ of Mandamus directing the respondents 3 and 4 to determine the compensation by the residential value and disburse the compensation for land and building along with interest in terms of the orders dated 18.08.2020 made in the batch of writ petitions in W.P.no.2116/2017 by the Division bench of this Court, in respect of the petitioner's land situated at Coimbatore District Sulur Taluk, Irugur Village, Unit - I, Block-16 comprised in S.F.No.245/5 measuring to an extent of 21323 sq. ft. in accordance with law.

(In both the writ petitions)

For Petitioner : Mr. G.Saravanabhavan

For Respondents : Mr.G.Krishnaraja
Additional Government Pleader

COMMON ORDER

Since both the cases are one and the same and hence, these writ petitions are disposed of by way of common order.

2. The petitioner has filed this petition seeking a direction to the respondents 1 to 4 to pay the compensation to the petitioner along with interest in terms of the orders dated 18.08.2020 made in the batch of writ petition in W.P.No.2116/2017 by the Hon'ble Division Bench of this Court , in respect of the petitioner's land situated at Kalapatty Village, Unit - 2, Block-9 comprised in Survey No.666/2 & 668/3 measuring to an extent of 8.224 cents in accordance with law.

3. The petitioner has filed this petition seeking a direction to the respondents 3 and 4 to determine the compensation by the residential value and disburse the compensation for land and building along with interest in terms of the orders dated 18.08.2020 made in the batch of writ petitions in W.P.no.2116/2017 by the Division bench of this Court, in respect of the petitioner's land situated at Coimbatore District Sulur Raluk, Irugur Village, Unit - I, Block-16 comprised in S.F.No.245/5 measuring to an extent of 21323 sq. ft. in accordance with law.

4. The case of the petitioners is that their land were acquired for the purpose of expansion of Coimbatore Airport Runway. Till date, the compensation amount was not deposited. Hence, the petitioners filed the present writ petition before this Court seeking appropriate remedy.

5. The learned counsel for the petitioners submitted that in view of the acquisition proceedings, the petitioners has given several representations to the respondents to pay the compensation, but the same was not considered. Therefore, this Court may issue a direction to the respondents to fix the fair compensation for the acquired land and to deposit the same within the stipulated period as fixed by this Court.

6. The learned Additional Government Pleader submitted that the acquisition proceedings is at initial stage and till date, the possession was not taken from the petitioners. However, the petitioner's claim will be considered and necessary orders will be passed in the manner known to law within the stipulated time as fixed by this Court.

7. Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing on behalf of the respondents and perused the materials available on record.

8. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioners, this Court directs the respondents to determine the compensation to the petitioners in terms of Section 7(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 within a period of twelve weeks from the date of receipt of a copy of this order. If the petitioners are aggrieved over the said compensation fixed by the land acquisition officer, liberty is granted to them to work out their remedy in the manner known to law.

9. With the above directions, the writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Transport Department, Fort St. George,
Secretariat, Chennai-9.
2. The District Collector,
Coimbatore - 641 018
3. The District Revenue Officer,
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Land Acquisition,
Coimbatore Airport Runway Extension,
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5. The Director,
Airport Authority of India,
Chennai.
6. The Director,
Airport Authority of India,
Coimbatore.

+2ccs to Mr.G.Saravanabhavan, Advocate, S.R.No.39110,39111
+1cc to the Government Pleader, S.R.No.39311

W.P. Nos.15277 & 15375 of 2022

PMK[co]
NSK/15/07/2022