



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.23955, 23956 and 23958 of 2019

W.P.No.23955 of 2019:-

R.Gopal Reddy

W.P.No.23956 of 2019:-

B.Muniyappa

W.P.No.23958 of 2019:-

Govindaraj

.. Petitioners

-Vs-

1. The District Collector,
Krishnagiri.

2. The Land Acquisition Officer - cum-
Special Tashildar, SIPCOT, Hosur,
Krishnagiri.

... Respondents (In all W.Ps)

Prayer in W.P.No.23955 of 2019:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to refer the award proceedings in award No.4 of 2007 and dated 29.03.2007 to the concerned Civil Court under Section 18 of the Land Acquisition Act, 1894 for getting a higher compensation in so far as the award of compensation in respect of the petitioner land are concerned, comprised in Survey Number 132/1B measuring 0.79.0 acres and S.No.132/2 measuring an extent of 1.80 acres at Moornapalli Village, Hosur Taluk, Krishnagiri District.

Prayer in W.P.No.23956 of 2019:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to refer the award proceedings in award No.4 of 2007 and dated 29.03.2007 to the concerned Civil Court under Section 18 of the Land Acquisition Act, 1894 for getting a higher compensation in so far as the award of compensation in respect of the petitioner land are concerned, comprised in Survey Number 140/2A measuring



0.60 cents and S.No.140/2B measuring an extent of 1.83 cents at Moornapalli Village, Hosur Taluk, Krishnagiri District.

Prayer in W.P.No.23958 of 2019:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to refer the award proceedings in award No.4 of 2007 and dated 29.03.2007 to the concerned Civil Court under Section 18 of the Land Acquisition Act, 1894 for getting a higher compensation in so far as the award of compensation in respect of the petitioner land are concerned, comprised in Survey Number 141/3E measuring an extent of 0.10.0 hectares at Moornapalli Village, Hosur Taluk, Krishnagiri District.

For All W.Ps

For Petitioners : M/s.R.Poornima

For Respondents : Mrs.D.Tamilselvi

Additional Government Pleader

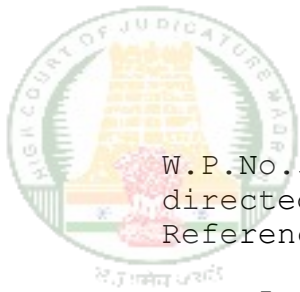
COMMON ORDER

These Writ Petitions have been filed for the issuance of Writ of Mandamus, directing the respondents to refer the award proceedings in award No.4 of 2007 and dated 29.03.2007 to the concerned Civil Court under Section 18 of the Land Acquisition Act, 1894 for getting a higher compensation in so far as the award of compensation in respect of the petitioners subject lands are concerned situated at Moornapalli Village, Hosur Taluk, Krishnagiri District.

2. Heard M/s.R.Poornima, learned counsel appearing for the petitioners and Mrs.D.Tamilselvi, learned Additional Government Pleader appearing for the respondents.

3. The petitioners owned lands comprised in Survey Nos.132/1B, 132/2, 140/2A, 140/2B and 141/3E, situated at Moornapalli Village, Hosur Taluk, Krishnagiri District. On the request of the second respondent, the Government had acquired the subject lands and passed an award in Award No.4 of 2007, dated 29.03.2007 by fixing a very meager value for the subject properties. The petitioners have made a specific protest in the award enquiry while fixing the compensation. Even then after passing the Award, it was not referred under Section 18 of the Land Acquisition Act, 1894.

4. A perusal of the Award, dated 29.03.2007, the petitioners made a specific protest while determining the value of their properties. In fact, the similar request made by the adjacent land owners were considered by this Court in



W.P.No.3422 to 3426 of 2010, dated 25.03.2010. This Court directed the first respondent, to refer the Award to the Reference Court for enhancement of compensation.

5. Considering the above, the first respondent is directed to refer the award in Award No.4 of 2007, dated 29.03.2007 under Section 18 of the Land Acquisition Act, 1894, before the concerned Civil Court for enhancement of compensation, within a period of four weeks from the date of receipt of a copy of this order. Further, the petitioners did not receive any compensation even till today for their respective lands as per the award in Award No.4 of 2007, dated 29.03.2007.

6. With the above directions, these writ petitions are disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Krishnagiri.
2. The Land Acquisition Officer - cum-
Special Tashildar, SIPCOT, Hosur,
Krishnagiri.

+3cc to M/s.R.Poornima, Advocate, S.R.No.7629
+1cc to the Government Pleader, S.R.No.8066

W.P.Nos.23955, 23956 and 23958 of 2019

BR(CO)
CT 28/02/2021