



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 01.02.2022  
CORAM  
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WEB COPY

W.P.No.23596 of 2019

Nagalakshmi

...Petitioner

Vs

1. The District Collector,  
Krishnagiri.

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

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent to make a reference to the concerned Civil Court under Section 18 of the Land Acquisition Act, 1894 for getting a higher compensation insofar as the award of compensation in respect of the petitioner's land are concerned, comprised in survey No.764/2 measuring 0.18.0 hectares at Nallore Village, Hosur Taluk, Krishnagiri District in respect of the subject matter of the award proceedings in Na.Ka.877/98 dated 20.02.2004, on the file of the second respondent under Award No.1 of 2004.

For Petitioner : Ms.R.Poornima  
For Respondents : Mr.M.Muthusamy  
Government Advocate

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondent to make a reference to the concerned Civil Court under Section 18 of the Land Acquisition Act, 1894 for getting a higher compensation insofar as the award of compensation in respect of the petitioner's land is concerned, comprised in survey No.764/2 measuring 0.18.0 hectares at Nallore Village, Hosur Taluk, Krishnagiri District in Na.Ka.877/98 dated 20.02.2004, on the file of the second respondent under Award No.1 of 2004.

2. Heard, Ms.R.Poornima, learned counsel appearing for the petitioner and Mr.M.Muthusamy, learned Government Advocate appearing for the respondents.



3. The case of the petitioner is that the land, comprised in survey No.764/2 to an extent of 0.18.0 hectares situated at Nallore Village, Housr Taluk, Krishnagiri District, was owned by the petitioner. It was acquired for the purpose of development of Housing Unit by the Housing Board. Though, the petitioner had no objection to acquire the said land, she claimed compensation at Rs.20,00,000/- per acre and the compensation which was awarded by the competent authority was received under protest. It is also evident from the award dated 20.02.2004 and also it is stated that if an application is made by the petitioner it will be referred under Section 18 of the Land Acquisition Act, 1894 for enhancement of compensation.

4. However, the petitioner failed to make any application for enhancement of compensation due to illiteracy. In fact, the adjacent owners have filed writ petition before this Court in W.P.No.14765/2007 and this Court, by an order dated 23.04.2017, directed the respondent to refer the award under Section 18 of the Land Acquisition Act before the competent Civil Court for enhancement of compensation, since, the said person had participated in the award enquiry and received compensation under protest, the same was also recorded in the award.

5. In view of the above, the second respondent is directed to refer the award dated 20.02.2004 passed in Award No.1 of 2004 on the file of the second respondent and its proceedings No.Na.Ka.No.877/98 in respect of the land comprised in survey No.764/2 admeasuring 0.18.0 hectares situated at Nallur Village, Housr Taluk, Krishnagiri District, before the competent Civil Court under Section 18A of the Land Acquisition Act, 1894 for enhancement of compensation, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

Lpp



To

1. The District Collector,  
Krishnagiri.

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

+1 CC to Ms.R.Poornima, Advocate sr 6239

+1 CC to The Government Pleader sr 6838.

W.P.No.23596 of 2019

MT(CO)  
SP(04/03/2022)