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W.P.Nos.27722 & 27727 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.27722 & 27727 of 2022

and

W.M.P.Nos.27008 & 27016 of 2022

1. Mouttalou @ Muthalammal
2. Siva
3. Saravanan

... Petitioners in W.P.No.27722
of 2022

1. Muniappan
2. Mathiazhagan
3. Pragasam
4. Kalyani
5. Sugandavalli
6. Suseela
7. Meena
8. Mounisamy
9. Latchoumamane
10. Meenatchi
11. Rukku
12. Calaiselvi
13. Suganya
14. Gomal
15. Balajee @ Amarneethi

... Petitioners in W.P.No.27727
of 2022

Vs.

1. Union of India,
Rep. by the Secretary to Government,
Revenue Department,
Government of Pondicherry,
Pondicherry.



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2. Revenue Officer-cum-Land Acquisition Officer,
Central University,
Land Acquisition Wing,
(Education Department),
Pondicherry.

... Respondents in Both W.Ps.

Prayer in W.P.No.27722 of 2022 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay interest to the petitioners in accordance with the provisions of the Land Acquisition Act in respect of the acquisition of lands comprised in R.S.No.78/3 for an extent of 0-32-00 hectares at Kalapet, Pondicherry.

Prayer in W.P.No.27727 of 2022 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay interest to the petitioners in accordance with the provisions of the Land Acquisition Act in respect of the acquisition of lands comprised in R.S.Nos.178/4, 74/11 and 74/5 for an extent of 2-02-50 hectares at Kalapet, Pondicherry.

Appearance of Counsels in both W.Ps

For Petitioners	:	M/s.Usha Ramman
For Respondents	:	Mr.J.Kumaran
		Additional Government Pleader

COMMON ORDER

The petitioners have filed these Writ petitions seeking issuance of a Writ of Mandamus to direct the respondents to pay the interest to the



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petitioners in respect of their acquired lands, as early as possible.

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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 I 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 to 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,



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however, till date, the petitioners representations dated 22.06.2022 and 26.08.2021 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 22.06.2022 and 26.08.2021 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 would be considered and appropriate orders will be passed on merits within the time that to 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 22.06.2022 and 26.08.2021



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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 Petitions are closed.

20.10.2022

Index : Yes / No
Speaking order: Yes/ No
jd

To

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



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M.DHANDAPANI, J.
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