



WEB COPY



W.P.No.28698 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.28698 of 2022

C.Arumugam

... Petitioner

Vs.

1.The District Collector/Land Acquisition Officer,
(Project of Formation of New Broad Gauge Railway line
between Chinna Salem and Kallakurichi),
Kallakurichi, Kallakurichi District.

2.The District Revenue Officer,
Kallakurichi,
Kallakurichi District.

3.The Special Tahsildar (Land Acquisition),
Southern Railways,
Kallakurichi,
Kallakurichi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to refer the request/reference application and representations submitted by the petitioner on 18.05.2022 under section 8 of Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Tamil Nadu Act 10/1999) and consequently direct the respondents to pay the award amount of Rs.10,54,487/- together with interest at 15% per annum from 01.04.2020 till date of payment without



W.P.No.28698 of 2022

prejudice to the petitioner's claim to seek enhancement of compensation with respect to the land of the petitioner's herein comprised in S.Nos.100/10A1 0.05.5 hectares, 101/1C2 0.05.0 hectares and 101/8A 0.04.0 hectares properties situated at Porpadakurichi Village, Kallakurichi Taluk and Kallakurichi District in award No.01/2020 in Na.Ka.AA1/2674/2019 dated 31.03.2020.

For Petitioner : Mr.C.Mahendran

For Respondents : Mr.U.Bharanidharan,
Additional Government Pleader

ORDER

By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. The petitioner has filed this petition seeking for issuance of Writ of Mandamus directing the 1st respondent to refer the request/reference application and representations submitted by the petitioner on 18.05.2022 under section 8 of Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Tamil Nadu Act 10/1999) and consequently direct the respondents to pay the award amount of Rs.10,54,487/- together with interest at 15% per annum from 01.04.2020 till date of payment without prejudice to the

Page No.2 of 7



W.P.No.28698 of 2022

petitioner's claim to seek enhancement of compensation with respect to the land of the petitioner's herein comprised in S.Nos.100/10A 0.05.5 hectares, 101/1C2 0.05.0 hectares and 101/8A 0.04.0 hectares properties situated at Porpadakurichi Village, Kallakurichi Taluk and Kallakurichi District in award No.01/2020 in Na.Ka.AA1/2674/2019 dated 31.03.2020.

3. The case of the petitioner is that the property comprised in S.Nos.100/10A, 101/1C and 101/8A to an extent of 0.15.0, 0.82.0 and 0.11.0 was originally belongs to the petitioner and these lands have been acquired for formation of New Broad Gauge Railway line between Chinnasalam and Kallakurichi and award of compensation of Rs.10,54,487/- was determined as per Section 7 of Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997, however, till date, the said amount was not disbursed in favour of the petitioner. Thereafter, the petitioner made an application dated 18.05.2022 before the first respondent for re-determination of compensation under section 8 of Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997. Hence, this writ petition.



WEB COPY

4. Learned counsel for the petitioner would submit that this Court may issue direction to the respondents to disburse the compensation amount in favour of the petitioner with applicable interest within a time frame to be fixed by this Court.

5. Learned Additional Government Pleader appearing for the respondents would submit that he has no objection for the said direction being passed by this Court.

6. Heard the learned counsel for the petitioner and perused the materials available on record.

7. Considering the limited relief sought by the petitioner, this Court without going into the merits of the case, issues the following directions:

(i) respondents are directed to disburse the compensation amount with applicable interest in favour of the petitioner within a period of four weeks from the date of receipt of a copy of this order.

(ii) respondents are further directed to consider the petitioner's representation dated 18.05.2022 under Section 8 of Tamil Nadu Acquisition



W.P.No.28698 of 2022

of Lands for Industrial Purposes Act, 1997 and pass appropriate orders on merits and in accordance with law as expeditiously as possible.

8. With the aforesaid directions, this Writ Petition is disposed of. No costs.

01.11.2022

vm

Index : Yes/No

Speaking Order : Yes/No

Copy To:

- 1.The District Collector/Land Acquisition Officer,
(Project of Formation of New Broad Gauge Railway line
between Chinna Salem and Kallakurichi),
Kallakurichi, Kallakurichi District.
- 2.The District Revenue Officer,
Kallakurichi,
Kallakurichi District.
- 3.The Special Tahsildar (Land Acquisition),
Southern Railways,
Kallakurichi,

Page No.5 of 7



W.P.No.28698 of 2022

Kallakurichi District.

WEB COPY

M.DHANDAPANI,J.

vm

W.P.No.28698 of 2022



WEB COPY



W.P.No.28698 of 2022

01.11.2022