



WEB COPY



W.P.No.30671 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.11.2022

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.30671 of 2022

S. Dhanam

... Petitioner

Vs.

1. The District Collector,
Ariyalur District, Ariyalur,

2. The Land Acquisition Officer and Revenue
Divisional Officer, (Power Grid Corporation of India project)
Udayarpalayam, Udayarpalayam Taluk, Ariyalur District

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the Respondents to refer the final Award dated 20.12.2021 in Na.Ka.A2/80/2021 passed by the 2nd respondent in respect of the properties of the petitioner to the competent Authority/Court in terms of Section 64 of the Right to Fair compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 on the basis of the representation of the petitioner dated 07.02.2022 within a time frame as fixed by this Court.

For Petitioner : Mr.K. Suresh

For Respondents : Mr.U. Bharanidharan
Additional Government Pleader



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ORDER

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

2. This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the Respondents to refer the final Award dated 20.12.2021 in na.Ka.A2/80/2021 passed by the 2nd respondent in respect of the properties of the petitioner to the competent Authority/Court in terms of Section 64 of the Right to Fair compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 on the basis of the representation of the petitioner dated 07.02.2022

3. The case of the petitioner is that the petitioner is the absolute owner of the subject property. While so, the said land was acquired for the purpose of establishing 765/400 KV Cooling Station of the power grid Corporation of India and an award in R.C.No.2031/2011/A3 dated 31.10.2014. The petitioner was not satisfied with the compensation amount paid by the petitioner, hence he made an objection before the second respondent who considered the claim of the petitioner and passed a final award on 20.12.2021 in Na.Ka.A2/80/2021. However the compensation was very low. Hence the petitioner wants to refer



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the matter to the competent Authority/Court in terms of Section 64 of the Right to Fair compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 for which he has given a representation to the respondents on 07.02.2022. However the same has not been considered. Hence the present writ petition is filed for the aforesaid prayer.

4. The learned counsel for the petitioner submitted that the lands has been acquired in the year 2013 and the award has been passed in the year 2021 i.e after a lapse of eight years which is not sustainable one. Hence he submits it would be suffice to considering the petitioner's representation dated 07.02.2022 and refer the mater to the competent Authority/Court in terms of Section 64 of the Right to Fair compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act within the time frame stipulated by this Court..

5. Heard the learned counsel for the petitioner as well as the learned additional Government pleader appearing for the respondents and perused the materials available on record.

6. In view of the above, this Court is inclined to issue a direction to the



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respondents to consider the petitioner's representation dated 07.02.2022 in terms of Section 64 of the Right to Fair compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of.

No costs.

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Index: Yes/ No

Internet: Yes/No

smn

To

1. The District Collector,
Ariyalur District, Ariyalur,

2. The Land Acquisition Officer and Revenue
Divisional Officer, (Power Grid Corporation of India project)
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M.DHANDAPANI,J.

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