



W.P.No.34518 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.34518 of 2018
and
W.M.P.No.40065 of 2018

1. G.Santhamurthy
 2. R.Masilamani
 3. R.Ramamurthy
 4. M.Arunagiri
- ...Petitioners

Vs.

1. The Secretary to Government,
Education Department,
Union Territory of Puducherry,
Puducherry.
2. The Director,
School Education Department,
P.K.C.Building, 100 Feet Road,
Anna Nagar, Puducherry.
3. The Revenue Officer cum Land Acquisition,
Directorate of School Education,
Puducherry Government,
Puducherry.
4. The Registrar,
Pondicherry Central University,
R.V.Nagar, Kalapet,



W.P.No.34518 of 2018

Puducherry - 605 014.

5. The Chairman,
Dr.K.M.Cheriyar Educational Society,
No.12, Selva Mansion,
Goubert Avenue,
Puducherry - 1.
6. The Principal,
Rajiv Gandhi School of Sports,
Indira Gandhi Stadium,
Uppalam, Puducherry.
7. The Group Commander,
NCC Group, Airport Road,
Lawspet, Puducherry.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioners' representation dated 04.12.2017 and 15.12.2017 and pass orders.

For Petitioners : Mr.K.Balu

For Respondents : Mr.Syed Mustafa, for R1 to R4.

ORDER

The petitioners have filed this writ petition seeking issuance of a Writ of Mandamus to direct the respondents 1 to 3 to consider their representations dated 04.12.2017 and 15.12.2017 and dispose of the same.



W.P.No.34518 of 2018

2. The case of the petitioners is that the agricultural lands to an extent of 1081.75 Acres situated at Pillaichavadi and Kalapet Revenue Villages Oulgaret Municipality of Puducherry were acquired by the respondents 1 to 3 for the purpose of establishment of Pondicherry Central University. The notification under Section 4(1) of the Land Acquisition Act, 1894 (in short 'Act') for Phase I and II lands was issued on 30.11.1983 and 17.12.1986 respectively and for land measuring an extent of 132.90.45 Hectares on 18.03.1987 and the award for the same was passed in Award No.1/85 dated 29.02.1985, Award No.1/87 dated 25.03.1987 and Award No.2/87 dated 01.06.1987 respectively. The land owners including the petitioners were paid a compensation of Rs.380 per Are. Since, the University has already started to function and that as some of the lands were not utilized for the purpose for which it has been acquired, the petitioners made representations dated 04.12.2017 and 15.12.2017 before the 2nd respondent, seeking for return of un-utilized lands to them. However, till date, no orders have been passed by the 2nd respondent on the said representations. Aggrieved by the inaction on the part of the 2nd respondent, the present Writ petition is filed.

3. Though very many grounds have been raised, learned counsel for



W.P.No.34518 of 2018

the petitioners submits that it would suffice, if this Court issues direction to the respondents 1 to 3 to consider the petitioners' representations dated 04.12.2017 and 15.12.2017 and dispose of the same as early as possible.

4. Learned Special Government Pleader appearing on behalf of the respondents 1 to 4 has no serious objection for the said order being passed and he fairly submitted that, the petitioners' representations dated 04.12.2017 and 15.12.2017 will be considered and appropriate orders will be passed within the time stipulated by this Court.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondents 1 to 3 to consider the petitioners' representations dated 04.12.2017 and 15.12.2017 on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners as well as the aggrieved persons, if any.

6. This writ petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous petition is closed.



W.P.No.34518 of 2018

04.07.2022

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Speaking Order : Yes/ No
Index : Yes/ No

To

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W.P.No.34518 of 2018

M.DHANDAPANI,J.

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W.P.No.34518 of 2018
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W.M.P.No.40065 of 2018



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W.P.No.34518 of 2018

04.07.2022