

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.09.2022**

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.11086 of 2013**

1.Paramasivam (Died)

2.Mani

3.Subbulakshmi

4.P.Meena

5.P.Kannan

6.P.Senthilkumar

... Petitioners

(P4 to P6 are implead as legal heirs of the deceased P1 vide Court order, dated 27.06.2018 in W.M.P(MD)No.16869 of 2017)

Vs.

1.The Collector,  
Dindigul Collectorate Office,  
Dindigul.

2.The Special Tahsildar,  
North Neighbourhood Project,  
Madurai.

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the

respondents to consider the petitioners representation dated 10-1980 and their representation in counter of L.A.O.P.14 of 1984 dated 23.01.1996 in T.S.No.533/3C, T.S.No.532/2A, T.S.No.532/2 and T.S.No.534/1B for reference under Section 18 of the Land Acquisition Act.

For Petitioner : Mr.M.S.Suresh Kumar

For Respondents : Mr.B.Saravanan  
Additional Government Pleader

### **ORDER**

The present writ petition has been filed seeking a writ of Mandamus, directing the respondents to consider the representation of the petitioners in October 1980 seeking reference under Section 18 of the Land Acquisition Act.

2. A perusal of the records indicate that the petitioners' lands were subjected to acquisition proceedings under Land Acquisition Act, 1894 and an award came to be passed in Award No.6 of 1983 on 30.06.1983. As per Section 18 (2) (a) of the Land Acquisition Act, representation has to be made within a period of six (6) weeks to the District Collector for referring the matter to tribunal for enhancement of the award. As per the records produced in the typedset of papers, this Court could not find any representation having been made within a period of six (6) weeks from

30.06.1983. The representation in October 1980 is prior to the award. Hence, there is no representation as contemplated under Section 18 (2) (a) of the Land Acquisition Act to refer the matter to tribunal for enhancement of compensation. That apart, in view of the inter se dispute between the petitioners, a reference has been made under Section 30 of the Land Acquisition Act and an award has been passed on 15.07.2011. Thereafter, the present writ petition has been filed in November 2012 seeking reference under Section 18.

3. This Writ Petition is not maintainable and the same is dismissed.

No costs.

**15.09.2022**

Index : Yes / No  
Internet : Yes / No

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To

1.The Collector,  
Dindigul Collectorate Office,  
Dindigul.

2.The Special Tahsildar,  
North Neighbourhood Project,  
Madurai.

*W.P(MD)No.11086 of 2013*

**R.VIJAYAKUMAR ,J.**

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Order made in  
W.P(MD)No.11086 of 2013

Dated:  
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