



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.10847 of 2022

M. Nayan Mulji Thakker

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Madurai,
Madurai District.

2.The District Revenue Officer,
District Collectorate,
Madurai,
Madurai District.

3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Melur, at Narasingampatti,
Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 to 3 herein to consider the objections filed by the writ petitioner dated 11.02.2022 and pass award for the acquisition of the Agricultural lands of the writ petitioner in Survey No.176/1B, Solangurini Village, Madurai South Taluk, Madurai District, to an extent of 0.28 Hectares equivalent to 70 cents which acquired for the purpose of formation of water channel (Canal) connecting Nilayoor Water Channel in accordance with Sections 26-30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within the time framed fixed by this Court.

For Petitioner : Mr.T. Lajapathi Roy

For Respondents : Mr.Mr. M. Prakash

Additional Government Pleader.

* * *

O R D E R

Heard the learned counsel on either side.

2. The petitioner's lands were acquired two years ago. However, the compensation has not yet been paid. Even the award has not been passed. The petitioner wants this Court to direct the competent authority to pass an award under the new Act.



3. In my view considering this contention would be a premature exercise. If the award passed by the competent authority is not acceptable to the petitioner for whatever reason, the petitioner can always seek enhancement of the compensation.

4. Therefore, leaving open the rights of the petitioner, the second respondent is directed to pass an award regarding the disbursement of compensation payable to the petitioner within a period of four weeks from the date of receipt of a copy of this order. The petitioner shall also co-operate with the enquiry. If the petitioner is aggrieved by the quantum fixed by the competent authority, he can always seek enhancement of amount. In the meanwhile, the second respondent shall disburse the award amount to the petitioner within a period of four weeks thereafter.

5. This writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

PMU

To:

1. The District Collector,
District Collectorate,
Madurai, Madurai District.
2. The District Revenue Officer,
District Collectorate,
Madurai, Madurai District.
3. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Melur, at Narasingampatti,
Madurai District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-27772[F]
dated 23/06/2022)

+1 CC to M/s.SPL.GP (SR-27469[F] dated 22/06/2022)

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21.06.2022

nsn(CO)

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