



W.P(MD)No.12136 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12136 of 2022

S.Roshan

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Collectorate,
Madurai-625 020.

2.The Special Tahsildar,
Land Acquisition,
Madurai Airport Expansion-Unit-2,
Old Ramnad Collectorate Campus,
Madurai-625 020.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider and dispose of the petitioner's representation dated 14.02.2022 and consequently, to refer the matter to the competent court for enhancement of compensation awarded for the acquisition of our land and house property and to provide the copy of the award passed within a specific time frame as may be fixed by this Court.



For Petitioner : Mr.B.Rooban

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner's property was acquired under the provision of Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997. The petitioner received notice for determining compensation. She appeared before the authority and also furnished the necessary documents. The petitioner asserts that she was not heard before passing the award. Only last year, the award amount was credited to her bank account. Till date, the petitioner has not received any award copy. The petitioner naturally feels aggrieved by the decision of the first respondent. Section 8 of the said Act reads as follows:-

“8. Reference to Court: Any person aggrieved by the decision of the Collector or the Officer to whom the case was transferred, determining the amount may within sixty days from the date of such decision, in so far as it affects him by application to the Collector or the officer to whom the case was transferred, require that the matter be referred by him for the determination of the Court as defined in the Land Acquisition Act, 1894 (Central Act 1 of 1894) and when any such application is made, the provisions of Part III of the said Act shall mutatis mutandis apply to further proceedings in respect thereof.”



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3. The first respondent is directed to serve a copy of the award on the writ petitioner within a period of three weeks from the date of receipt of a copy of this order. After receipt of the application from the petitioner, the reference shall be made to the jurisdictional Court. The petitioner is also directed to make such an application immediately after receiving a copy of the award.

4. The Writ Petition is disposed of accordingly. No costs.

05.08.2022

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.

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