



WEB COPY



W.P.Nos.1497 & 1501 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.Nos.1497 & 1501 of 2023

Chandirasegarane
N.Mani

... Petitioner in WP.No.1497/2022
... Petitioner in WP.No.1501/2022

Vs

1.Union of India,
Rep. By the Secretary to Government,
Revenue Department,
Government of Pondicherry,
Pondicherry.

2.The Revenue Officer-cum-
Land Acquisition Officer,
Central University,
Land Acquisition Wing,
(Education Department),
Pondicherry.

... Respondents in both WPs

Prayer in WP.No.1497/2023 : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pay interest to the petitioner in accordance with the provisions of the Land Acquisition Act in respect of the acquisition of lands comprised in R.S.No.209/3A for an extent of 1-37-84 hectares at Kalapet, Pondicherry.

Prayer in WP.No.1501/2023 : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pay interest to the petitioner in accordance with the provisions of the Land Acquisition Act in respect of the



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acquisition of lands comprised in R.S.No.206 pt. for an extent of 0-22-77 hectares and R.S.No.18/2 pt. for an extent of 0-16-63 hectares at Kalapet, Pondicherry.

In both WPs

For Petitioners : Mr.R.Venkatesulu

For Respondents : Mr.P.S.Kothandaraman
Government Advocate (Puducherry)

COMMON ORDER

Since the issue raised in these writ petitions are common, with the consent of the learned counsel appearing for both sides, both the writ petitions were heard together and are disposed of by this common order.

2. Invariably, the lands belonging to the petitioners were acquired by the respondent authority for the establishment of a Central University by the respondent State. Insofar as the compensation payable to the petitioners, compensation has been paid, subsequently for the enhancement of the compensation, the land owners approached the appropriate authority and the compensation has been enhanced. Accordingly, under Section 28A of the Land Acquisition Act, the enhanced amount, in fact, also was sought to be paid by the respondents to the petitioners.



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3. However, they paid only the enhanced compensation, though it is a belated one, the interest has not been paid. Therefore, in order to get the interest, the petitioners had given representations independently on 01.07.2022 and 11.07.2022 to the respondent authority and in order to consider the said representations and to do the needful on merits and in accordance with law within a time frame to be stipulated by this Court, these petitioners have moved the present writ petitions.

4. Reiterating the aforesaid, Mr.R.Venkatesulu, learned counsel appearing for the petitioners seeks indulgence of this Court.

5. Heard Mr.P.S.Kothandaraman, learned Government Advocate (Puducherry) appearing for the respondents, who would submit that, the representations submitted by the petitioners individually would be considered and decided by the respondent authority on merits and in accordance with law within a time frame that may be stipulated by this Court.

6. Considering the said submissions made by the learned Government Advocate (Puducherry) appearing for the respondents and



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taking note of the innocuous nature of the prayer sought for in these writ petitions, this Court is inclined to dispose of these writ petitions with the following orders:

There shall be a direction to the respondent authority to consider the representations individually submitted by the petitioners dated 01.07.2022 and 11.07.2022 and decide the same on merits and in accordance with law and pass necessary orders thereon within a period of eight weeks from the date of receipt of a copy of this order.

7. With these directions, both the writ petitions are disposed of. No costs.

23.01.2023

Index : Yes/No

Speaking Order : Yes/No

Sgl



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- 1.The Secretary to Government,
Union of India,
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Pondicherry.
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R.SURESH KUMAR, J.

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