



WEB COPY

W.P.No.12488 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12488 of 2023

P.Rajendran

... Petitioner

Vs.

1.The District Collector
Ranipet District.

2.The Revenue Divisional Officer
Ranipet District.

3.The Tahsildar
Arakkonam Taluk
Vellore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to implement the order dated 07.06.2022 in W.P.No.11685 of 2022 passed by this Court within the time stipulated by this Court.

For Petitioner

: Mr.K.Venkatesan

For Respondents

: Mr.S.Ravichandran
Additional Government Pleader



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ORDER

The present writ petition has been filed to direct the respondents to implement the order dated 07.06.2022 passed in W.P.No.11685 of 2022.

2. The relief sought for in the present writ petition is to implement the order passed by this Court in a writ petition is not entertainable. If at all the order passed by this Court has not been implemented or if there is any doubt regarding the implementation, an appropriate application / petition is to be filed. To implement the orders passed in one writ petition, filing of another writ petition cannot be a right way, which is otherwise not contemplated.

3. The grievance of the writ petitioner is that his land was acquired in the year 2004. Admittedly, an award was passed determining the compensation to be settled in favour of the land losers.

4. The learned counsel for the petitioner states that the petitioner has not received the compensation, as he was not satisfied with the quantum of compensation determined by the competent authority. If that is the grievance, then the petitioner has to approach the Competent Court of Law / Authority seeking enhancement of compensation in the manner contemplated under the



Land Acquisition Act. Contrarily, filing a writ petition seeking the relief to direct the authorities to consider the representation would do no service to the cause of justice.

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5. Already the petitioner has earlier filed two writ petitions in W.P.No.25831 of 2009 and this Court passed an order on 18.01.2010 directing the authorities to consider the representation. Again another writ petition was filed by the petitioner herein in W.P.No.11685 of 2022 and this Court passed an order on 07.06.2022, directing the authorities to consider the representation dated 12.12.2021 on merits and in accordance with law and pass appropriate orders within a period of 12 weeks from the date of receipt of a copy of this order. Even that order has not been responded. Thus, again the petitioner has filed the present writ petition seeking the relief to implement the orders passed in W.P.No.11685 of 2022 dated 07.06.2022.

6. The manner in which a citizen is driven to Court by filing repeated petitions seeking the relief to consider the representation cannot be appreciated.



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7. The learned counsel for the petitioner states that the representations are not considered. Merely sending a representation with reference to the land acquisition proceedings would not solve the issues. Once the land acquisition proceedings are initiated and the processes are set in motion, the authorities competent are bound to follow the procedures as contemplated under the Statutes.

8. However, various remedies are provided under the Land Acquisition Act for the purpose of redressing the grievances of the land losers. There is a provision for seeking enhancement and the acquisition proceedings can be challenged in the manner known to law. When the remedies are contemplated under the Land Acquisition Act, the persons are bound to follow the same. Contrarily, merely by filing a writ petition seeking a direction to consider the representation would do no service to the cause of justice as in the present case, the litigants are again back to the Court repeatedly and their grievances are not redressed. Such a practice of filing repeated writ petitions seeking direction to consider representation or to implement the earlier order of High Court in a writ petition cannot be encouraged nor such relief can be granted in a routine manner.



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9. If at all the petitioner is not satisfied with the quantum of compensation determined, then the petitioner has to approach the Competent Court / Authority under the Provisions of the Land Acquisition Act for seeking enhancement or otherwise. This being the factum, the relief as such sought for in the present writ petition is not entertainable and the petitioner is at liberty to approach the Competent Court / Authority in the manner known to law.

10. With this liberty, this Writ Petition stands dismissed. No costs.

24.04.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To
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Ranipet District.

2.The Revenue Divisional Officer
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S.M.SUBRAMANIAM, J.

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