



WEB COPY

WP No.13843 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-06-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.13843 of 2023

And

WMP No.13501 of 2023

Gopi @ Ravendiran

... Petitioner

Vs.

1.The District Collector,
Office of the Vellore Collectorate,
Vellore District.

2.The Land Acquisition Officer/
Revenue Divisional Officer,
Sathuvachri,
Vellore-9.

3.The Superintending Engineer,
VEDC,
Vellore-6.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to quash the impugned communication Rc.B1.707/2013 dated 27.01.2014 of the second respondent



and direct the respondents herein to determine the compensation for the trees and well of the petitioner under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013, after providing opportunity to the petitioner.

For Petitioner : Mr.M.Balasubramanian

For Respondents-1 and 2 : Mr.T.Arunkumar,
Additional Government Pleader.

For Respondent-3 : Mr.D.R.Arunkumar

ORDER

The internal communication dated 27.01.2014 issued by the Land Acquisition Officer / Revenue Divisional Officer, is sought to be quashed in the present writ petition.

2. The grievance of the writ petition is that the acquired land belonged to the petitioner was not properly measured and the compensation was not granted in accordance with the provisions of the Act. If at all there is any objection with reference to the compensation granted, the petitioner has to approach the Competent Authorities seeking enhancement.



WEB COPY

WP No.13843 of 2



3. That apart, the order impugned was issued on 27.01.2014 and the present writ petition has been filed after a lapse of about nine years and therefore, the present writ petition is not entertainable and liable to be rejected on the ground of laches and also the procedures are conducted for seeking enhancement. Thus the High Court cannot adjudicate such disputes issued in the writ proceedings.

4. The learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 raised an objection by stating that the petitioner has exhausted his remedies by availing the opportunity contemplated under the provisions of the Act. Therefore, the present writ petition is not maintainable.

5. This being the factum, the petitioner has not established any acceptable reasons for the purpose of establishing his rights.



6. For all these reasons, the present writ petition deserves no merit consideration and accordingly the same stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

01-06-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

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WP No.13843 of 2





WEB COPY

WP No.13843 of 2



S.M.SUBRAMANIAM, J.

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WP 13843 of 2023

01-06-2023