



WEB COPY

WP No.27999 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13-06-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.27999 of 2019

And

WMP No.35141 of 2019

A.Mohamed Faruk

... Petitioner

Vs.

1.The District Collector,
Coimbatore District,
Coimbatore.

2.Superintending Engineer/Civil,
Hydro Projects/TANGEDCO,
No.955, E.V.N. Road,
TNEB Complex,
Erode-9.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to withdraw the Notification dated 03.07.2019 issued under Section 3(2) of the Tamil Nadu Acquisition Land for Industrial Purposes Act, 1997 in so far as



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petitioner property situated in T.S.No.C/1/2/5 measuring to an extent of 95 cents in Patta No.58, Chikkadasampalayam Village, Mettupalayam Taluk, Coimbatore District and property in S.F.No.13/34 now T.S.No.A/4/69 measuring to an extent of 58 cents in Patta 2, Odandurai Village and initiate acquisition proceedings under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Settlement Act, 2014.

For Petitioner	: Mr.G.Krishnakumar
For Respondent-1	: Mr.S.Ravichandran, Additional Government Pleader.
For Respondent-2	: Mr.K.Arun Prasad, Standing Counsel for TANGEDCO.

ORDER

The relief sought for in the present writ petition is to direct the first respondent to withdraw the Notification dated 03.07.2019 issued under Section 3(2) of the Tamil Nadu Acquisition Land for Industrial Purposes Act, 1997 in so far as petitioner property situated in T.S.No.C/1/2/5 measuring to an extent of 95 cents in Patta No.58, Chikkadasampalayam Village, Mettupalayam Taluk, Coimbatore District and property in S.F.No.13/34 now T.S.No.A/4/69 measuring to an extent of 58 cents in Patta 2, Odandurai Village and initiate acquisition proceedings under the



Right to Fair Compensation and Transparency in Land Acquisition
Rehabilitation and Settlement Act, 2014.

WEB COPY

2. It is not in dispute that the land acquisition proceedings are in progress. The relief as such sought for in the present writ petition to withdraw the Notification dated 03.07.2019 would not arise on account of the fact that the proceedings are in progress.

3. The learned counsel for the petitioner made a submission that the compensation is to be determined based on the New Land Acquisition Act of the year 2013.

4. In this regard, the petitioner has submitted a representation. It is for the Authorities to consider all these aspects while determining the compensation to be paid to the landlosers by following the procedures contemplated. However, the relief, as such sought for in the present writ petition deserves no merit consideration.



5. Accordingly, the present writ petition stands dismissed.

However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

13-06-2023

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



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WEB COPY

WP No.27999 of 2



S.M.SUBRAMANIAM, J.

Svn

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