



Cont.P.No.2439 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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A.Ponnusamy

.. Petitioner

Vs

1.Kranthi Kumar Pati
District Collector,
Office of the Collectorate,
Coimbatore-641 402.

2.A.Kalaiarasi,
Executive Officer,
Irugur Town Panchayat,
Irugar, Coimbatore-641 103.

.. Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act to punish respondents 1 and 2 for their willful disobedience of the order dated 7.3.2023 passed by this Court in W.A.No.1056 of 2021.

For the Petitioner : Mr.G.Prabhakar

For the Respondents : Mrs.R.Anitha
Special Government Pleader



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ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.G.Prabhakar, learned counsel for the petitioner; and, Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. Learned counsel for the petitioner submits that the order of this court is not followed in its true letter and spirit. This court had directed the State to calculate the compensation as per the market value and pay it within four weeks. The same is not paid.

3. Mrs.R.Anitha, learned Special Government Pleader, submits that the market value is computed at Rs.2,77,307/-. The District Revenue Officer has passed an order on 30.10.2023 fixing the said amount of compensation. The second respondent had sent a letter to the petitioner by registered post and local tapal requesting him to come to the office of the second respondent on 14.11.2023 for receiving compensation by way of bank demand draft. A second



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letter was again sent, but the petitioner did not turn up.

4. Learned counsel for the petitioner submits that the amount of compensation arrived at by the respondents is not based on the market value. The provisions of the Land Acquisition Act are not followed. The respondents are calculating the amount based on the guideline value of the year 2007-2012. The petitioner is entitled to much more amount, such as the market value, interest and all statutory benefits.

5. In case the petitioner is aggrieved by the quantum of compensation, certainly the petitioner can challenge the same. In the contempt petition, it would not be possible to enter into the said challenge. By way of a separate proceeding, the petitioner may challenge the quantum of compensation granted. In that event, all the contentions of the petitioner are kept open.

6. The petitioner may remain present in the office of the second respondent on 18.12.2023 to collect the demand draft. The



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petitioner may collect the said demand draft under protest, keeping his challenge to the quantum of compensation open.

The contempt petition is accordingly disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

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