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**Cont.P.(MD) Nos.1524, 1719, 1720, 1721, 1722,
1723, 1724, 1725 & 1726 of 2023**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.11.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**Cont.P.(MD) Nos.1524, 1719, 1720, 1721, 1722, 1723, 1724, 1725 &
1726 of 2023**

in

**W.A.(MD) Nos.1930, 1929, 2172, 1928, 2167, 2173, 2175, 2176 & 2177 of
2021**

Cont.P.(MD) No.1524 of 2023:

1.K.Kala

2.K.Mala

3.K.Malarvizhi

... Petitioners

-VS-

Poovaragan
The Prescribed Authority-cum-
Special District Revenue Officer /
Land Acquisition Officer
Madurai – Dhanushkodi
National Highways No.49
Ramanathapuram District

... Respondent

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**Cont.P.(MD) Nos.1524, 1719, 1720, 1721, 1722,
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PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 praying to punish the respondent for the willful disobedience of the Judgment passed by this Court in W.A.(MD) No.1930 of 2021, dated 14.07.2021.

For Petitioners : Mr.G.Jeremiah John

For Respondent : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.S.P.Maharajan
Special Government Pleader

COMMON ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

These contempt petitions have been filed alleging willful disobedience of the common Judgment, dated 14.07.2022, made in W.A.(MD) Nos.1930, 1929, 2172, 1928, 2167, 2173, 2175, 2176 & 2177 of 2021.

2. It is not in dispute that the lands belonged to the contempt petitioners were acquired for public purpose and the land acquisition proceedings were initiated under the old Act, but the award was passed on



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21.07.2014 after the new Act i.e. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, which came into force with effect from 01.01.2014. Thus, the contempt petitioners are entitled to claim compensation under Section 24 of the new Act.

3. Learned counsel for the contempt petitioners mainly contended that a high value property has been acquired by paying a meagre amount of compensation and therefore, the contempt petitioners were constrained to file the writ petitions. Since the writ petitions were dismissed, the intra-court appeals were instituted and the Division Bench of this Court considered the issues and defined the word “deposit” under the provisions of the new Act and set aside the order passed by the Writ Court. The Judgment passed in the intra-court appeals has not been complied with by the respondent in its letter and spirit and therefore, the present contempt petitions are filed.

4. Learned Additional Advocate General appearing for the respondent made a submission that pursuant to the common Judgment dated 14.07.2022 passed in the intra-court appeals, the competent authority has



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passed a fresh award on 26.06.2023 under the new Act. Since a fresh award has been passed under the new Act, the contempt petitioners are at liberty to approach the competent authority seeking enhancement of compensation in the manner contemplated.

5. Learned counsel appearing for the petitioners made a submission that the award passed under the new Act has not been served to the land losers.

6. It is needless to state that the authorities competent are duty bound to serve the award copies to the land losers enabling them to submit applications for enhancement of compensation or otherwise.

7. In this regard, the contempt petitioners are at liberty to approach the competent authority for award copies and on such approach, the competent authority shall serve copy of the award to the contempt petitioners, without causing any undue delay.



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8. Insofar as the contempt proceedings are concerned, in view of the facts and circumstances, we do not find any reason to invoke the contempt jurisdiction, since a fresh award has been passed under the new Act on 26.06.2023, which is an appealable one under the new Act. Hence, the contempt petitioners are at liberty to approach the competent authority for redressal of their grievance regarding quantum of compensation fixed by the authority concerned.

9. With the above observations, these contempt petitions are closed.

[S.M.S., J.]

[S.S.Y., J.]

02.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:
Mr.Poovaragan,
The Prescribed Authority-cum-
Special District Revenue Officer /
Land Acquisition Officer,
Madurai – Dhanushkodi,
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