



WP (MD) No.23925 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.23925 of 2023

Ganesan

... Petitioner

Vs

The Chief Secretary to Government,
Represented by Government of Tamilnadu,
St. George Fort,
Chennai-600 009.

(Deleted as per order of this Court, dated 29.09.2023 in WP(MD) No.23925 of 2023 by BPJ)

1.The District Collector,
Office of the Collectorate,
Ramanathapuram District,
Ramanathapuram-623503.

2.The Special Tahsildar,
(Land Acquisition),
Uppur Thermal
Power Project,
Office at Ramanathapuram,
Ramanathapuram-623 503.

. Respondents



WP (MD) No. 23925 of 2023

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to dispose of the Petitioner's representation dated 01.11.2021 under the Act 30 of Right to Fair Compensation Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 within a specific time frame for Re Determination of Market value of land and compensation.

For petitioner :Mr.H.Velavadhas

For Respondents :Mr.M.Sarangan

Additional Government Pleader

ORDER

The petitioner's lands in S.No.54/4, 54/5, 52/4B, 54/6, 54/7B in Uppur Village has been acquired for Uppur Thermal Power Project in Ramanathapuram District in the year 2015. According to the learned counsel for the petitioner, a Gazette Notification dated 23.11.2015 was published by the District Administration under Section 3(2) of the Tamil Nadu Acquisition Act. The process of acquisition and fixing of market value of the acquired land was done as per the Tamil Nadu Land Acquisition Act. According to the learned counsel, the



WP (MD) No. 23925 of 2023

WEB COPY

market value of the land should have been determined under Section 26 of the Right to Fair Compensation, Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the compensation for the acquired land has to be arrived as per Section 27 of the said Act. Therefore, the petitioner has submitted an application to the District Collector that compensation has not been decided in accordance with Section 27 of the Act and to redetermine the compensation by considering his representation dated 01.11.2021 and the petitioner has filed this writ petition to direct the second respondent to take a decision in accordance with law.

2. Considering the limited relief sought for by the petitioner and considering the fact that the petitioner has submitted an application for redetermination of compensation amount and the same has not been decided so far, this writ petition is disposed of with a direction to the second respondent to take a decision within a period of twelve weeks



WP (MD) No.23925 of 2023

WEB COPY

from the date of receipt of a copy of this order. Since the Chief Secretary is not a necessary party to this writ petitioner, Registry is directed to delete the Chief secretary from the cause title. No costs.

29.09.2023

NCC :Yes/No

Index :Yes/No

vrn

To

- 1.The District Collector,
Office of the Collectorate,
Ramanathapuram District,
Ramanathapuram-623503.
- 2.The Special Tahsildar,
(Land Acquisition),
Uppur Thermal
Power Project,
Office at Ramanathapuram,
Ramanathapuram-623 503.



WEB COPY



WP (MD) No.23925 of 2023

B.PUGALENDHI, J.

vrn

Order made in
WP(MD)No.23925 of 2023

29.09.2023