



W.P(MD)No.25249 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25249 of 2023

Bose

... Petitioner

Vs.

1.The Land Acquisition
cum District Collector,
Ramanathapuram Collectorate,
Kannappar Thidal,
Kadampa Nagar,
Ramanathapuram – 623 503.

2.The Special Tahsildar (Land Acquisition),
Uppoor Thermal Power Plant 1,
Ramanathapuram.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to refer the matter to the Competent Authority in accordance with Section 8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 for enhancement of compensation in light of the decision of this Court in W.P.No.6492 of 2022 and batch cases, within the time stipulated by this Court.



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For Petitioner : Mr.S.Sankarapandian
For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard both sides.

2. The petitioner's land had been acquired under the provisions of Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997. The compensation fixed by the authority is not acceptable to the petitioner. He seeks enhancement of compensation. Section 8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 reads as follows:

“8.Reference to Court:- (1) Any person aggrieved by the decision of the Collector or the officer to whom the case was transferred, determining the amount may, within sixty days from the date of such decision, in so far as it affects him by application to the Collector or the officer to whom the case was transferred, require that the matter be referred by him for the determination of the Court as defined in the Land Acquisition Act, 1894 (Central Act 1 of 1894) and when any such application is made, the



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provisions of Part III of the said Act shall mutatis mutandis apply to further proceedings in respect thereof.

(2) The decision of the Court on such reference and subject only to such decision, the decision of the Collector determining the amount, shall be final.”

All that the petitioner wants is reference to be made under this Act.

3. The first respondent is directed to make a reference before the jurisdictional civil Court within a period of three weeks from the date of receipt of a copy of this order. Upon receipt of the same, the petition shall be numbered immediately by the learned District Judge. Reference itself will be disposed of on merits and in accordance with law within a period of eighteen months thereafter.

4. This writ petition is disposed of accordingly. There shall be no order as to costs.

20.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

MGA

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