



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.26344 of 2023

M.Sethupathy

... Petitioner

vs.

- 1.The Principal Secretary to the
Government & Commissioner of Land
Administration, Chennai.
- 2.The District Collector,
Karur, Karur District.
- 3.The Special District Revenue Officer,
Land Acquisition, Kaveri-Vaigai-Kundaru
Linking Project,
Karur District.
- 4.The Special Tahsildar,
Land Acquisition – Division – 3,
Kaveri-Vaigai-Kundaru Linking Project,
Kulithalai, Karur District.



5.The Chief Engineer,
Water Resource Department,
Trichy Region, Tiruchirappalli – 20.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 2 to 4 to fix the market value for acquisition of the petitioner's properties in S.No.926/2B, 926/2A, 914/4A, 914/3A1 in Nangavaram South - 1 Village, Kulithalai Taluk, Karur District for the project of Kaveri-Vaigai-Kundaru linking scheme in the light of the circular of the 1st respondent in M2/7304/2018, dated 16.10.2020 within a time limit as prescribed by this Court.

For petitioner	: Mr.T.Ramesh
For Respondents	: Mr.M.Sidharthan, Addl Government Pleader

ORDER

Heard both sides.

2.The petitioner's lands were acquired for Kaveri-Vaigai-Kundaru water project in February – 2023. The grievance of the petitioner is that while similarly placed persons had been paid compensation, for reasons that are not quite clear, the petitioner is yet to be paid compensation. When once the names of the petitioner is figuring in the acquisition notification and when the



petitioner has been issued with notice, it is the duty of the authorities to pay compensation as laid down in Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Delay in disbursement of compensation cannot be permitted. An award shall be passed by the competent authority within a period of six weeks from the date of receipt of copy of this order. Compensation shall be disbursed to the petitioner within a period of four weeks thereafter. It is open to the petitioner to receive them without prejudice to his right to seek enhancement of compensation. The respondents will apply the usual norms laid down in the statute.

3.This writ petition is disposed of. No costs.

03.11.2023

Index : Yes / No
Internet : Yes/ No
skm

Issue order copy on 06.11.2023

To

- 1.The Principal Secretary to the Government & Commissioner of Land Administration, Chennai.
- 2.The District Collector, Karur, Karur District.
- 3.The Special District Revenue Officer, Land Acquisition, Kaveri-Vaigai-KundaruLinking Project, Karur District.



4.The Special Tahsildar, Land Acquisition – Division – 3,
Kaveri-Vaigai-Kundaru Linking Project, Kulithalai, Karur District.

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5.The Chief Engineer, Water Resource Department,
Trichy Region, Tiruchirappalli – 20.



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G.R.SWAMINATHAN, J.

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