



WEB COPY



W.P.No.6529 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.6529 of 2023

S.Krishna Reddy

... Petitioner

Vs.

1. The District Collector,
Krishnagiri District.

2. The Special District Revenue Officer,
Land Acquisition, National Highways No.STRR 948-A,
Hosur.

3. The Special Tahsildar,
Land Acquisition, National Highways No.STRR 948-A,
Dinnur, Denkanikottai Road, Hosur.

4. The Deputy Director,
Geology and Mining,
Collectorate, Krishnagiri.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 9.08.2019 seeking compensation for cancellation of lease granted in favour of the petitioner by the 1st respondent under the provisions of Rule 19(1) of Tamil Nadu Minor Mineral concession Rules 1959 for a period from 29.05.2017 to 28.05.2022 at Kalukondapally Village of Denkanikottai Taluk.



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For Petitioner : Mr. M.Nishanth for
Mr.G.M.Anantha Kumar

For Respondents : Mr.Stalin Abhimanyu,
Additional Government Pleader

ORDER

The writ of mandamus has been filed to direct the first respondent to consider the representation of the petitioner dated 09.08.2019 seeking compensation for cancellation of lease granted in favour of the petitioner by the 1st respondent under the provisions of Rule 19(1) of Tamil Nadu Minor Mineral concession Rules 1959 for a period from 29.05.2017 to 28.05.2022 at Kalukondapally Village of Denkanikottai Taluk.

2. Merely by directing the respondents to consider the representation, petitioner cannot seek the remedy of compensation. Such a direction would do no service to the cause of justice. Compensation is to be granted after adjudicating the disputed facts between the parties based on the documents and evidences. Writ Court cannot conduct a roving inquiry in respect of such obligations between the parties.



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3. The status report filed by the 4th respondent would reveal that the petitioner had already been paid with suitable compensation as per the decree dated 12.03.2021 by the Special District Revenue Officer, Land Acquisition. A sum of Rs.1,37,65,272/- (Rupees one crore thirty seven lakhs sixty five thousand two hundred and seventy two only) has been settled in favour of the petitioner towards the compensation for acquired the lands.

4. The learned counsel for the petitioner states that the said amount is only for the acquired lands and the petitioner sustained financial loss. In respect of the financial loss, the petitioner has to establish the same in the manner known to law based on the documents and evidences. Thus, the petitioner is at liberty to approach the competent Civil Court of law for the purpose of seeking compensation in the manner contemplated.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

04.04.2024

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)



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S.M.SUBRAMANIAM. J.,

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