



Order dated 28.03.2024
in W.P.No.7788 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.03.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.7788 of 2024

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K.C.Sivasubramani

.. Petitioner

Vs.

District Revenue Officer,
Erode,
Erode District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the entire records relating to the impugned order of the respondent, dated 31.08.2023 in Na.Ka.10030/2021/B1, and quash the same and consequentially direct the respondent to make reference to the competent Civil Court for a redetermination of the compensation amount.

For petitioner : Mr.J.Titus Enock

For respondent: Mr.T.Arun Kumar, Addl.G.P.

ORDER

The petitioner has filed the above Writ Petition praying for issuance of a Writ of Certiorarified Mandamus to call for the entire records relating to the impugned order of the respondent, dated 31.08.2023 in Na.Ka.10030/2021/B1,

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and quash the same and consequentially direct the respondent to make reference to the competent Civil Court for a redetermination of the compensation amount.

2. Since the impugned order only shows that belatedly they have made a representation and therefore, it is out of time prescribed under the Land Acquisition Act for making reference to Civil Court and therefore, the impugned order came to be passed.

3. Learned counsel for the petitioner and the learned Additional Government Pleader, both submitted that already, reference for the rights of the parties is pending with the reference to the Court, and therefore, in the above circumstances, if the matter is referred to for enhancement of compensation, no prejudice would be caused to the respondent, since already there is another reference pending between the parties.

4. Therefore, in the above circumstances, the impugned order is quashed and considering the facts and circumstances of this Court, this Court has passed this order and this may not be quoted as precedent in any other case.

5. The Writ Petition is allowed with the above observations. There shall be no order as to costs.

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To

District Revenue Officer,
Erode,
Erode District.



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