



WEB COPY



W.P.No.9440 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.9440 of 2024

Arumuga Gounder

... Petitioner

Versus

1. The District Collector
Vellore District
Vellore

2.The Special Tahsildar
Land Acquisition Welfare
Aadi Dravidar Welfare, Gudiyatham
Vellore District

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to pass orders on the petitioner's representation dated 19.09.2023 for determination the compensation amount under Section 28A of the Land Acquisition Act for the petitioner's land comprised in Survey No.31/3 measuring 0.650 Hect i.e., 1.63 Acres situated at Vajoor Village, Gudiyatham Taluk, Vellore District.

For Petitioner : Mr.N.Nagu Sah

For Respondents : Mr.A.Selvendran
Special Government Pleader



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ORDER

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2. It is the grievance of the writ petitioner that the land of the petitioner has been acquired by the Government and awarded compensation. Whereas, for the adjacent land owners, whose lands have been acquired, have been referred to Land Acquisition Tribunal in C.M.A.No.9 of 1999 and they have been granted enhanced compensation. The appeal filed in C.M.S.A.No.42 of 2023 as against the Order of the Tribunal for furthermore enhancement of compensation, was also ordered in favour of the land owners. Therefore, petitioner has given representation on 19.09.2023 and the same has not been considered by the respondents. Hence, the present writ petition.



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3. Heard Mr.N.Nagu Sah, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader for the respondents.

4. Considering the fact that the District Collector has to make reference under section 28 [A] [1] and [2] of Land Acquisition Act, the first respondent is directed to refer the matters to the tribunal for enhancement of compensation with all other benefits as per Land Acquisition Act and in the light of the judgment dated 06.06.2018 passed by this Court in C.M.S.A.No.42 of 2023.

5. With the above directions, this Writ Petition stands disposed of.
No costs.

08.04.2024

Internet: Yes/No
Index:Yes/No
Neutral Citation : Yes/No
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N.SATHISH KUMAR, J.

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