



WEB COPY



WP.No.10779 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

**THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR**

WP.No.10779 of 2024

1.Parani  
2.S.Prabawathi  
3.A.Rajadurai

.. Petitioners

Versus

1.The District Collector  
Villupuram District  
Villupuram

2.The Sub Collector  
Tindivanam  
Villupuram District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to refer the dispute as per the under section 8 of the Industrial Purpose Act, 1997 ( under Section 18 of the Land Acquisition Act 1894) to the competent civil court to enhance the compensation to the land in new survey numbers 70/6-0.09.0 hectare, 70/7-0.11.0 Hectare 70/8B - 0.45.0 hectare 70/15B - 0.07.0 Hectare 70/16B - 0.07.0 Hectare 70/12B- 0.33.5 total extent 1.13.0 hectares situated at Puthananthal Village, Tindivanam Taluk, Villupuram District pursuant to the communication sent by the 1st respondent to the 2nd respondent on 27.03.2023.

For Petitioner : Mr.K.Krishnan

For Respondents : Mr.P.Sathish  
Additional Government Pleader



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## **ORDER**

**WEB COPY** This writ petition has been filed for a direction to the 1st respondent to refer the dispute as per the under Section 8 of the Industrial Purpose Act, 1997 ( under Section 18 of the Land Acquisition Act 1894) to the competent civil court to enhance the compensation.

2. It is the grievance of the writ petitioner that after acquiring the land for industrial purposes, the award has been passed by the District Collector only on 15.10.2022. The petitioner has given an application to refer the matter to the Court on 03.11.2022, however, the same has not been considered.

3. The learned Additional Government Pleader would submit that application ought to have been filed within a period of 60 days, whereas the application has been given only on 20.04.2023. Hence, the same could not be referred.

4. Heard both sides and perused the materials placed on record. On perusal of the additional typedset of papers, particularly, the communication from Special Tahsildar Land Acquisition to District Collector dated 03.11.2022 makes it clear that the petitioner has made an application as early on



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03.11.2022, i.e., within the time as required under Section 8 of the Industrial

Purpose Act, 1997. Thereafter, repeated requests have been made at later dates.

Therefore, it cannot be said that application has not been made within the time-limit as required under Section 8 of the Industrial Purpose Act, 1997.

5. Such view of the matter, the first respondent is directed to refer the matter to the Court under Section 8 of the Industrial Purpose Act, 1997 within a period of two months from the date of receipt of a copy of this Order.

6. With the above direction, this writ petition stands disposed of. No costs.

03.06.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

1.The District Collector  
Villupuram District  
Villupuram

2.The Sub Collector  
Tindivanam  
Villupuram District



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**N. SATHISH KUMAR, J.**

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