



WEB COPY



W.P.No.12854 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.12854 of 2024

1.Vimalabhai

2.Pankaj

3.Priyanga Rohith

.. Petitioners

Vs

1.The District Collector,
Villupuram District.
Villupuram.

2.The Sub Collector,
Tindivanam,
Villupuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to refer the dispute as per the section 18 of the land acquisition act to the competent civil court to enhance the compensation to the land in new survey numbers 71/20B – 0.53.5, 71/1B – 1.05.5, 70/18B – 0.07.0 total extent of 1.66.0 hectares situated at Puthananthal Village, Tindivanam District, Villupuram District pursuant to the petitioner's representation dated 20.03.2023 and communication sent by the 1st respondent on 27.03.2023.



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For Petitioners : Mr.K.Krishnan
For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a direction to the 1st respondent to refer the dispute as per Section 18 of the Land Acquisition Act to the competent civil Court to enhance the compensation in respect of the lands acquired in S.Nos. 71/20B – 0.53.5, 71/1B – 1.05.5, 70/18B – 0.07.0 to a total extent of 1.66.0 hectares at Puthananthal Village, Tindivanam Taluk, Villupuram District, pursuant to the petitioners representation dated 20.03.2023.

3. Heard learned counsel for the petitioners and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.



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4. According to the petitioners, though an award was passed on 15.10.2022 in respect of the subject property, they obtained the same only on 17.02.2023 through their RTI application and immediately, they made an application to the 2nd respondent seeking enhancement of compensation on 20.03.2023. However, the said application has not been referred under Section 18 *ibid.* to the competent civil Court till date. Hence, the present Writ Petition.

5. On a perusal of the memo enclosed in the typed set of papers, which indicates that the award copy was made ready only on 17.03.2022 and the petitioners also made an application seeking enhancement of compensation within the period of limitation, it is for the 1st respondent to refer the matter to the competent civil Court. The said exercise shall be done by the 1st respondent, within a months' time from the date of receipt of a copy of this order.

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

05.06.2024

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Index : Yes/No

Neutral Citation : Yes/No



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N.SATHISH KUMAR, J.

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To

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Villupuram District.
Villupuram.

2.The Sub Collector,
Tindivanam,
Villupuram District.

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