



WEB COPY



WP.No.12135 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **03.06.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.12135 of 2024 & WMP.No.13232 of 2024

1. R.S.Prakash Rao
2. R.S.Vijayakumar
3. D.Rani

.. Petitioners

Versus

1. The Secretary to Government,
Revenue Department,
Fort St.George, Chennai – 600 009.
2. The Secretary to Government,
Commercial Taxes and Religious Endowments Department,
Fort St.George, Chennai – 600 009.
3. The Commissioner,
Hindu Religious Charitable Endowments Administration Department,
Chennai – 34.
4. The Revenue Divisional Officer,
Thiruthanai, Tiruvallur District.
5. The Executive Officer,
Arulmigu Subramanyaswamy Thirukoil,
Tuiruthani, Tiruvallur District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned letter issued by the first respondent in letter



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No.558/LA1[1]/05-2, dated 11.03.2005 and quash the same and consequently directing the fourth respondent to deposit the compensation by calculating as per Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 [Central Act 30 of 2013] in so far relate to the petitioners lands situated in S.Nos.337/4, 337/3, 338/0 and 347/3 at No.63, Madam Village, Tiruthani Taluk, Tiruvallur District to the extent of 4 acres 7 cents.

For Petitioners : Mr.C.Prakasam

For Respondents : Mr.G.Ameedius
Government Advocate – R1, R2 & R4

Mr.K.Karthikeyan
Government Advocate [HR&CE] – R3

Mr.J.Ram – R5

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 is filed to quash the impugned letter issued by the first respondent in letter No.558/LA1[1]/05-2, dated 11.03.2005 and consequently direct the fourth respondent to deposit the compensation by calculating as per Right to Fair Compensation and Transparency in Land



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Acquisition Rehabilitation and Resettlement Act, 2013 [Central Act 30 of 2013] in so far relate to the petitioners lands situated at No.63, Madam Village, Tiruthani Taluk, Tiruvallur District to the extent of 4 acres 7 cents.

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

4. The case of the petitioners is that the lands of the petitioners have been acquired by the Government to construct cottage in Tiruthani Temple. The grievance of the petitioners is that the compensation amount deposited before the reference Court has not been disbursed to them. However, challenge has been made to the communication of the authorities dated 11.03.2005. The communication sent by the respondents indicate the manner in which the amount has to be deposited and compensation for the land acquired shall be paid.

5. At this stage, this Court is of the view that the communication cannot be challenged after a lapse of 19 years and the compensation amount shall be disbursed to the petitioners keeping in mind the judgment of the Constitutional



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Bench of this Court. Hence, the petitioners shall file an appropriate application before the Court concerned for disbursement of the compensation amount.

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

Consequently, connected miscellaneous petition is closed.

03.06.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

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Commercial Taxes and Religious Endowments Department,
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N. SATHISH KUMAR, J.

VRC

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