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W.P.No. 24927 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated :05.11.2024**

**THE HONOURABLE Ms. JUSTICE P.T. ASHA**

**W.P.No.24927 of 2023**  
**and W.M.P.No.24353 of 2023**

K.Marimuthu

... Petitioner

**Vs**

1. The District Collector / Land Acquisition Officer,  
(Project of Formation of New Broad Gauge  
Railway line between Chinna Salem and Kallakurichi),  
Kallakurichi Taluk and District.

2. The District Revenue Officer,  
Kallakurichi,  
Kallakurichi District.

3. The Special Tahsildar (Land Acquisition),  
Southern Railways,  
Kallakurichi Railways,  
Kallakurichi District

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus direct the 1<sup>st</sup> respondent herein to consider the representation of the Petitioner dated 25.07.2023 with respect to pass compensation award for the acquisition of the Petitioner's balance residential house and other immovable assets



W.P.No. 24927 of 2023

attached to the building in Survey Nos.163/3B1B and 163/11 to an extent of 0.00.75 Sq. meter in situated in Thachur Village, Kallakurichi Taluk and District under Sections 26 to 30 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013 (Central Act No.30/2013) within a reasonable time to be fixed by this Court.

For Petitioner : Mr.P.Rajavel

For Respondents : Mr.M.R.Gokul Krishnan  
Additional Government Pleader

### **ORDER**

This Writ Petition is filed for a mandamus to issue direction to the 1<sup>st</sup> respondent herein to consider the representation of the petitioner dated 25.07.2023 to pass compensation award for the acquisition of his balance residential house and other immovable assets attached to the building in Survey Nos.163/3B1B and 163/11 to an extent of 0.00.75 Sq. meter situated in Thachur Village, Kallakurichi Taluk and District under Sections 26 to 30 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013 (Central Act No.30/2013) within a reasonable time to be



fixed by this Court.

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2. In paragraph 6 of the counter affidavit filed by the second respondent, the following statement has been made:

*“I humbly admit that it is statutory obligation to fix the market value of the balance residential house and other immovable assets attached to the building in S.No:163/3B1B and 163/11 having total extent of 0.00.75 sq.mts situated at Thatchur Village at Kallakurichi Taluk and District and humbly stated that even now we are ready to invoke the section 29,& 31 of in Land Acquisition, Rehabilitation and Resettlement Act 2013 as prayed by the petitioner in his affidavit.”*

3. In the light of the above statement, the Writ Petition is disposed of. The 1<sup>st</sup> respondent is directed to fix the market value of



W.P.No. 24927 of 2023

the balance residential house and other immovable assets attached to the building in S.Nos.163/3B1B and 163/11 invoking the provisions of section 29 and 31 of the Land Acquisition, Rehabilitation and Resettlement Act 2013 and pass orders within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

05.11.2024

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

To

1. The District Collector / Land Acquisition Officer,  
(Project of Formation of New Broad Gauge  
Railway line between Chinna Salem and Kallakurichi),  
Kallakurichi Taluk and District.

2. The District Revenue Officer,

4/6



W.P.No. 24927 of 2023

Kallakurichi,  
Kallakurichi District.

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3. The Special Tahsildar (Land Acquisition),  
Southern Railways,  
Kallakurichi Railways,  
Kallakurichi District



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W.P.No. 24927 of 2023

**P.T.ASHA, J.,**

srn

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**05.11.2024**