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W.P.No.24482 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTAR

W.P No.24482 of 2024

1.K.Srinivasan

2.M.Venkatachalam

3.M.Krishnan

...Petitioners

Vs.

1. The District Collector

Collectorate

Dharmapuri District-636 705.

2. The Special Tahsildar,

Land Acquisition Officer-cum- Adidraavidar Welfare

Dharmapuri-636 701.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's last representation dated 03.09.2021 along memo of calculation and direct the respondents to deposit balance award amount with interest till the payment made in L.A.O.P.Nos.142, 144 and 146 of 1996 respectively before the Additional District Court, Dharmapuri.



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For Petitioner

: Mr.V.R.Annagandhi

For Respondents 1 & 2

: Mr.A.Selvendran

Special Government Pleader

ORDER

The petitioner herein seeks a direction to respondents to consider his representation dated 03.09.2021 along with memo of calculation and also direct the respondents to deposit balance award amount with interest.

2. According to the petitioner, the entire extent of 3.11.5 hectares of land in S.F. Nos.441, 443/A situated at A.Reddihalli village, Dharmapuri district were acquired for the purpose of providing housing sites to landless poor Adidravida community people. The Land Acquisition Officer fixed a compensation at the rate of Rs.71,630/- per hecter and at the request of the petitioner, the matter was referred to Civil Court for enhancement of the compensation. The Land Acquisition Tribunal in LAOP.Nos.142, 144 and 146 of 1996 fixed a compensation at the rate of Rs.12.50 per Sq.feet. The said award passed by the Land Acquisition Tribunal was challenged before this



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Court by the Land Acquisition Officer in A.S.Nos.929, 930 and 931 of 2004.

The petitioner also filed cross objection. This Court enhanced the compensation at the rate of Rs.16.67 per Sq.feet. Thereafter, the execution proceedings were taken for deposit of the compensation amount. Since the amount deposited by the respondent does not represent the actual amount to be deposited, the petitioner submitted a representation on 03.09.2021 along with his calculation memo. As per the calculation of the petitioner, a sum of Rs.1,07,30,336 (rupees one crore seven lakhs thirty thousand three hundred and thirty six only) is due from the respondents. The representation submitted by the petitioner has not been considered by the respondents. Therefore, the petitioner is before this Court by way of writ petition.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents 1 and 2.

4. Though the petitioner seeks a positive direction to respondents to deposit balance amount as per the calculation memo filed by the petitioner, this Court is not inclined to go into the correctness of the calculation made by



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the petitioner. However, taking into consideration the issue involved in this matter, without expressing any opinion on the merits of the claim made by the petitioner, the 2nd respondent is directed to consider the representation of the petitioner dated 03.09.2021 along with memo of calculation and pass final orders on its' own merits within a period of six weeks from the date of receipt of copy of this order.

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

27.08.2024

(1/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr

To

1. The District Collector
Collectorate
Dharmapuri District-636 705.
2. The Special Tahsildar,
Land Acquisition Officer-cum- Adidraavidar Welfare

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S.SOUNTHAR, J.

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