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THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Contempt Petition No.2672 of 2024

1.K.G.Meiyazhagan

2.S.Thilagamani

...Petitioners

Vs.

1.Manjula

The Special District Revenue Officer (Land Acquisition),
Chennai – Kanyakumari Industrial Corridor Project,
Plot No.74, Vijayaraghavan Nagar,
Zakir Ammapalayam,
Salem – 636 302.

2.D.Kanagaraj,

The District Registrar (Registration Department),
Office of the District Registrar,
Campus of the Office of the District Collector,
Salem District.

...Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, seeking to punish the respondents herein for their non-compliance of the order dated 19.03.2024 passed in W.A.No.3351 of 2023, as provided for under the provisions of the Contempt of Courts Act, 1971.



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For Petitioners : Mr.B.Kumar, Senior Counsel
For Mr.S.Senthil
For Respondents : Mr.A.Selvendran,
Special Government Pleader

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

A direction was granted to pass an order in terms of Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The award has been passed on 24.10.2024.

2. Mr.B.Kumar, learned Senior Counsel appearing for the petitioners would submit that the award is not in consonance with Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. In the 130 years history of Land Acquisition Act covered by the Land Acquisition Act, 1894 and followed by Right to Fair Compensation



and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, no officer has granted a reasonable award. All officers grant only pittance as award, which is subsequently enhanced by the Courts.

4. This being settled position of law we do not think we can go into the correctness of the award in the contempt proceedings. Despite the fact that we see considerable force in the contention of Mr.B.Kumar, learned Senior Counsel, our helplessness aids the Government in such cases defraud its own citizens to grant pittance as compensation, forcing them to go for litigation in the Courts. Though this situation is unpalatable, sitting in the Contempt jurisdiction, we do not propose to examine the issue.

5. Hence, this contempt petition is **closed**, leaving it open to the petitioners to challenge the award in the manner known to law.

(R.S.M., J.) (D.B.C., J.)
18.12.2024

dsa
Index : No
Neutral Citation : No
Speaking order



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R.SUBRAMANIAN, J.
and
D.BHARATHA CHAKRAVARTHY, J.

dsa

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