



WEB COPY



W.P.Nos.29495 & 29500 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.Nos.29495 & 29500 of 2024

and

W.M.P.Nos.32148 & 32161 of 2024

- |                 |                                           |
|-----------------|-------------------------------------------|
| 1. V.Shanmugham | ... Petitioner<br>in W.P.No.29495 of 2024 |
| 2. Govindasamy  | ... Petitioner<br>in W.P.No.29500 of 2024 |

Vs.

- |                                                                                                                                                  |                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| 1. The District Collector,<br>Office of the Collectorate,<br>Dharmapuri District.                                                                |                                 |
| 2. The Tahsildar,<br>Pennagaram Taluk,<br>Dharmapuri District.                                                                                   |                                 |
| 3. The Assistant Director,<br>The Agricultural Department (PA to Collector),<br>Dharmapuri District.                                             |                                 |
| 4. The Sub-Collector,<br>The Revenue Divisional Officer,<br>Dharmapuri District.                                                                 |                                 |
| 5. The Executive Engineer,<br>The Public Works Department,<br>Water Resources (Varattaru Canal Division),<br>Arur Taluk<br>Dharmapuri – 636 903. | ... Respondents<br>in all W.Ps. |



W.P.Nos.29495 & 29500 of 2024

Common Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the Respondent authorities to dispose of the representation dated 09.10.2021 paying appropriate compensation with applicable interest as per the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 Central Act for the lands acquired.

For Petitioner : Mr.R.Ramesh Raja  
(in both W.Ps.)

For Respondents : Mr.A.Selvendran  
Special Government Pleader  
(in both W.Ps.)

### **COMMON ORDER**

By this common order both the Writ Petitions are being disposed of. The relief sought for by the Petitioners in both the Writ Petitions are identical in nature.



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2. When the matter is taken up for hearing, the learned Special Government Pleader for the Respondents has produced a counter affidavit, wherein in paragraph 12, it has been stated as follows:-

*“12. I submit that the Petitioner's reiterates allegations of unpaid compensation. Respondent authorities admitted acquisition and non-payment of compensation. Respondents acknowledge applicability of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Compensation will be determined as per new Act. Petitioner's rights should be safeguarded and Compensation determination underway.”*

3. While perusing the above statement it is clear that the Respondents undertook to pay compensation as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The Respondents shall ensure that the compensation is calculated after affording an opportunity to the Petitioners for putting forward their claim and thereafter pass orders for fixing the compensation and the compensation fixed shall also be immediately remitted to the Petitioners bank account. The said exercise shall be completed within a period of three (3) months from



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the date of receipt of a copy of this order. It is also informed by the learned counsel for the Petitioners that all the debris and stones that have been removed while digging the channel lies across the lands and therefore, the Petitioners and the others are unable to use their lands effectively. Therefore, the Respondents are also directed to remove the same at the earliest. No costs. Consequently, connected Miscellaneous Petitions are closed.

**21.11.2024**

Index : Yes/No  
Speaking/Non-speaking Order  
Neutral Citation :Yes/No  
rgm



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

rgm

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