



W.A(MD)No.446 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2024

CORAM:

**THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI**

**W.A(MD)No.446 of 2020
and
C.M.P(MD)No.3190 of 2020**

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Transport I-2 Department,
Fort St. George,
Chennai.
- 2.The District Collector,
Madurai District,
Madurai.
- 3.The Special Tahsildar,
Land Acquisition,
Madurai Airprt Expansion,
Madurai-20.

... Appellants/Respondents

Vs.

R.Sarasa

... Respondent/Petitioner



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W.A(MD)No.446 of 2020

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 27.11.2018 passed in W.P(MD)No.23398 of 2018.

For appellants : Mrs.D.Farjana Ghousia
Special Government Pleader

For Respondent : Mr.M.Mohamed Nihal
for M/s.Ajmal Associates

JUDGMENT

(Order of the Court was made by RMT.TEEKAA RAMAN,J.)

This Intra Court appeal is directed against the order passed by the writ Court, dated 27.11.2018 in W.P(MD)No.23398 of 2018.

2. The respondent herein filed a writ petition in W.P(MD)No.23398 of 2018 challenging the acquisition proceedings, in respect of expansion of Madurai Airport, passed by the third respondent in the writ petition and the alternative prior is to reconveyance of the property. By an order dated 27.11.2018 the learned Single Judge has directed the respondents to disburse a sum of Rs.1,34,836/- towards compensation to the petitioner within a period stipulated

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time fixed by this Court and also awarded a cost of Rs.25,000/- payable to the writ petitioner by the respondents/appellants. It is also observed that as there is no provision for reconveyance in the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, the request of the petitioner for reconveyance was denied.

3. Aggrieved against the award of cost of Rs.25,000/-, the State has preferred this writ appeal.

4. The learned Special Government Pleader appearing for the appellants would submit that the amount of Rs.1,34,836/- (Rupees One Lakh Thirtyfour Thousand Eight Hundred Thirtysix only) as directed by this Court was paid on 18.01.2019 in the account of the writ petitioner. He further submitted that in view of the new Act, some clarity has been given resulted in held payment. The same is accepted. Therefore, the cost of Rs.25,000/- (Rupees Twentyfive Thousand only) awarded by the learned Single Judge, is set aside.



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WEB COPY 5. Accordingly, the writ appeal is partly allowed. No costs. Consequently,
connected miscellaneous petition is closed.

[T.K.R.,J.] [K.G.T.,J.]
07.11.2024

Index : Yes / No
Internet : Yes / No
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To

- 1.The Secretary,
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RMT.TEEKAA RAMAN, J.
and
K. GOVINDARAJAN THILAKAVADI, J.

am

JUDGMENT MADE IN
W.A(MD)No.446 of 2020

07.11.2024