



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3543 of 2025

R.Venkatachalam

... Petitioner

Vs.

1.The Government of Puducherry,
Rep. by its Chief Secretary,
Puducherry – 605 001.

2.The District Collector (Revenue)
I-Floor, New Revenue Complex,
Vazhudaoor Road,
Pettaiyanchathiram,
Puducherry 605 009.

3.The Deputy Collector (Revenue) South cum
Land Acquisition Officer,
Villianur, Puducherry 605 001.

4.The Managing Director,
Pondicherry Industrial Promotion Development & Investment Corporation
(PIPDIC)
No.60, Romain Rolland Street,
White Town, Puducherry 605 001.

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to re-determine the compensation awarded to me for petitione'r lands acquired at Karasur Revenue Village in Award No.2/2008, to a sum of Rs.21,261/- per Are, based on the petitioner's application under Section 28A of the Land Acquisition Act 1894 dated 20.3.2019 and his representation dated 31.05.2024, pursuant to the enhanced compensation award passed in LAOP No.110 of 2012 on the file of II Additional District Judge, Puducherry.

For Petitioner : Mr.V.Rajesh Babu
For Respondents : Mr.A.Tamilvanan
Additional Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 2nd respondent to re-determine the compensation awarded to the petitioner based on the application submitted by the petitioner under Section 28A of the Land Acquisition Act, 1894 and based on the subsequent representation made on 31.05.2024.

2.Heard Mr.V.Rajesh Babu, learned counsel appearing on behalf of the petitioner and Mr.A.Tamilvanan, learned Additional Government Pleader (Puducherry) appearing on behalf of the respondents.



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3.The case of the petitioner is that he was the owner of the property and the lands were acquired under the Land Acquisition Act, 1894. An Award was passed by the 3rd respondent dated 25.01.2008 in Award No.2 of 2008. As against the same, some of the adjacent owners who also fell within the same Award went before the learned II Additional District Judge, Puducherry seeking for enhancement of compensation. The learned II Additional District Judge through judgement dated 01.12.2018 enhanced the compensation. Pursuant to the same, the petitioner submitted an application on 20.03.2019 under Section 28A of the Act seeking for re-determination of the compensation awarded to him based on the judgement in LAOP No.110 of 2012 passed by the learned II Additional District Judge, Puducherry. Since the same was not acted upon, the present writ petition has been filed before this Court.

4.Taking into consideration the facts and circumstances of the case and considering the fact that on receipt of the application submitted by the petitioner under Section 28A of the Land Acquisition Act, enquiry notice was also issued by the 3rd respondent in the year 2023 and thereafter, there has been no progress. There shall be a direction to the 2nd respondent to conduct an enquiry and to pass an order



on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

5.This writ petition is disposed of with the above directions. No Costs.

05.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

(2/4)

To

- 1.The Chief Secretary,
Government of Puducherry
Puducherry – 605 001.
- 2.The District Collector (Revenue)
I-Floor, New Revenue Complex,
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4. The Managing Director,
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N. ANAND VENKATESH, J.

SSR

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