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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

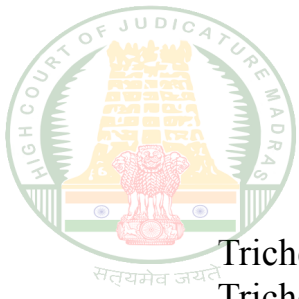
W.P.No.5818 of 2025

1. Ramasamy
2. R.Kuppursamy
3. R.Sampath

..Petitioners

Vs.

1. The State of Tamil Nadu,
Rep. By Secretary to the Government,
Department of Industries,
Fort St. George,
Chennai 600 009
2. Special Dro-La
Tamil Nadu Road Sector Project II
2nd Floor of Siddco Garment Complex,
Block – 2
Thiru Vi Ka Industrial Estate,
Guindy, Chennai 600 032
3. The District Collector,
Namakkal District,
Namakkal – 637 001
4. Special Tahsildhar – LA,
Chennai Kanyakumari Industrial Corridor Project,



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Trichengodu Erode Road,
Trichengodu 637 211

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to refer the matter to civil court for enhancement of compensation amount under section 64 of the Right to fair compensation and transparency in land acquisition rehabilitation and resettlement Act 2013 with regard to land in survey no. 30/1a sub division number in survey no. 30/1A2 measuring an extent of 2238 sq mtr (0.553 acre) in survey no. 30/3A sub division number 30/3A2 measuring an extent of 2662 sq mtr (0.6578 acre) situated at elyampalayam village, Thiruchendgode taluk, Namakkal district.

For Petitioner : Mr.V.Kedhirvelu

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R4

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to refer the matter to Civil Court for enhancement of compensation under Section 64 of the Right to Fair compensation and Transparency in Land acquisition rehabilitation and resettlement Act, 2013 (hereinafter referred to as the “Act”).



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2. Heard Mr.V.Kedhirvelu , learned counsel for the petitioners and Mr.A.Selvendran, learned Special Government Pleader for respondents 1 to 4.

3. The property was acquired under the 2013 Act and the compensation was also fixed by means of an award dated 18.08.2023. After the receipt of the notice, the petitioners have submitted their objection to the award notice dated 10.10.2023 which was received by the 3rd respondent on 11.10.2023. The grievance of the petitioner is that the respondents did not refer the dispute to the Civil Court under Section 64 of the 2013 Act. It is under these circumstances, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the 3rd respondent to refer the objections submitted by the petitioners to the Civil Court wherein the petitioners are seeking for enhancement of compensation. This process shall be completed by the 3rd respondent within a period of four weeks from the date of receipt of a copy of this order.



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

24.02.2025

Index : Yes/No

Internet : Yes/No

Speaking Order / Non Speaking Order
rka

Note : Issue order copy on 26.02.2025.

To

1. The State of Tamil Nadu,
Rep. By Secretary to the Government,
Department of Industries,
Fort St. George,
Chennai 600 009
2. Special Dro-La
Tamil Nadu Road Sector Project II
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N. ANAND VENKATESH, J.
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W.P.No.5818 of 2025

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