



Cont.P.No.885 of 2

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Contempt Petition No.885 of 2025

Jayabalan

...Petitioner

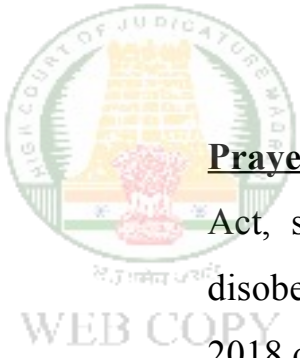
Vs.

1.A.Kulothungan, I.A.S.,
Special Secretary (Revenue), DRDM,
Government of Puducherry,
Chief Secretariat,
Puducherry - 605 001.

2.G.Johnson
Deputy Collector (Revenue)-cum-
Land Acquisition Officer, Karaikal.

3.Shanmuganandam
Tahsildar (Land Acquisition)
Government of Puducherry,
Karaikal,
Karaikal District - 609 602.

...Respondents



Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, seeking to punish the respondents for their willful and deliberate disobedience and breach of the order passed by this Court in W.A.No.30 of 2018 dated 07.08.2018 according to law.

For Petitioner : Mr.R.Natarajan

ORDER

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

No case of contempt has been made out. The grievance of the petitioner is that the Deputy Collector Revenue cum Land Acquisition Officer, Karaikal had by his letter dated 29.02.2024 rejected the claim of the petitioner for payment of 75% additional compensation for invoking urgency provisions in view of sub-Section 5 of Section 40 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. We are afraid that this letter by itself would not constitute contempt of the order of this Court. By order dated 07.08.2018 while disposing of the Writ Appeals, we had stated that an award in terms of Section 24(1)(a) of the Right to Fair Compensation and Transparency in Land Acquisition,



Rehabilitation and Resettlement Act, 2013 should be passed. The fact that the urgency provisions contained in Section 17 of the Land Acquisition Act, 1894 are invoked prior to the enactment of the 2013 Act would not entail the land owners to claim that 75% compensation provided under sub-Section 5 of Section 40 of the 2013 Act, in as much as sub-Section 5 makes it very clear that the additional amount of 75% is to be paid only if emergency provisions are invoked under new Act. Therefore, we do not think that the letter dated 29.02.2024 would constitute a contempt.

3. Mr.R.Natarajan, learned counsel appearing for the petitioner would further claim that though it is stated that a sum of Rs.71,47,258/- has been deposited in civil Court there is no such money available.

4. That was not the subject matter of the Writ Appeal. In paragraph No.16 of the order, the Bench had only recorded a statement made to the effect that the money has been deposited. Therefore, we do not see any ground for issuing a notice of contempt.



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5. Therefore, the contempt petition is **dismissed**. This dismissal will not however preclude the petitioner from making any claim in the manner known to law.

(R.S.M., J.) (G.A.M., J.)
25.03.2025

dsa
Index : No
Neutral Citation : No
Speaking order



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R.SUBRAMANIAN, J.
and
G.ARUL MURUGAN, J.

dsa

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