



WEB COPY



W.P.No.34065 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.34065 of 2022

M/s.Joint Agro Concept Private Limited,
Rep. by its Managing Director,
Mr.Reji Jacob,
No.5/389, Madipakkam Main Road,
Madipakkam, Chennai – 600 091.

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Thaiyur Kullam,
Kancheepuram – 631 501.

2.The Special Tahsildar (LA),
Oragadam Expansion Scheme,
Pillaipakkam, Sriperumbudur,
Kancheepuram District – 602 105.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the 1st respondent to refer the dispute in G.O.No.02/2019 dated 28.02.2019 vide Notice No.34/2010/A dated 04.03.2019 to the competent Civil Court.



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For Petitioner : Mr.P.Kabilan
for Mr.Thomas T Jacob

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the first respondent to refer the matter to the Civil Court under Section 18(1) of the Land Acquisition Act, wherein the petitioner is seeking for enhancement of compensation.

2. Heard Mr.P.Kabilan, learned counsel appearing on behalf of the petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing on behalf of respondents.

3. In the instant case, the compensation was determined through an award dated 04.03.2019. This award amount was received by the petitioner under protest on 11.11.2019. Even thereafter, there was a communication from the side of the petitioner to refer the matter to the Civil Court. Since the same was not followed up, the present writ petition has been filed before this Court.



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4. In the considered view of this Court, once a protest or dissatisfaction has been shown by the land owner, it is the obligation on the part of the authorities to refer the matter to the Court under Section 18(2) of the Act. The law on the issue is now too well settled. This view has been constantly taken by the Hon'ble Supreme Court till the latest judgment.

5. In view of the above, there shall be a direction to the first respondent to refer the matter to the Civil Court within a period of six weeks from the date of receipt of a copy of this order. Thereafter, the petitioner can workout his remedy seeking for enhancement of compensation in accordance with law.

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

14.02.2025
(1/2)

Index : Yes/No
Internet: Yes/No
Speaking/Non speaking order
rsi



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N. ANAND VENKATESH, J.

rsi

To

- 1.The District Collector,
District Collector Office,
Thaiyur Kullam,
Kancheepuram – 631 501.
- 2.The Special Tahsildar (LA),
Oragadam Expansion Scheme,
Pillaipakkam, Sriperumbudur,
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