



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2025

WEB COPY

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.9700 of 2025

G.Rajkumar

.... Petitioner

-Vs-

1.Union of India
Rep.by Secretary to Government (Revenue)
Government of Pondicherry.

2.The District Collector
Karaikal District.

3.Sub Collector (Revenue) cum
Land Acquisition Officer , Karaikal District.

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to refer the claim to court / the Land Acquisition Tribunal for enhancement of the compensation for the land comprised in survey Nos. R.S. No.221 /6 O.S.No.99 / 52 Patta No.409 Extent Oh 39A 46Ca and a portion of land in Surey No.R.S.No.166 / 3 O.S.No.196 / A and B Patta No.398 Extent OH 26 A 00 Ca, and R.S.No.221 /6 O.S.No.99/57 patta No.409 extent OH 30 A 87 Ca, Rs.No.221 /2 OS No.98 /7 Bis, Patta No.405, Extent 1 H 15 A 37 Ca altogether extent of 2H 11 A 70 Ca situated at T.R.Pattinam. Vanjore Revenue Village, Karaikal District acquired for the purpose of establishment of Port at Vanjore.

For Petitioner : Mr.U.Karunakaran

For Respondents : Mr.A.Tamilvanan, Additional Government Pleader (P)



ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to refer the claim made by the petitioner to the Court under Section 18 of the Land Acquisition Act, 1894 [hereinafter referred to as 'the Act'] for enhancement of compensation.

2. When the writ petition came up for hearing on 22.04.2025, this Court was informed that a reference was made under Section 30 of the Act and the same was considered by the District Judge, Karaikal in LAOP Nos.4 and 5 of 2024. Since no orders were passed, the reference sought for by the petitioner under Section 18 was not able to be made.

3. When the matter was taken up for hearing today, it was informed by the learned Additional Government Pleader appearing for the respondents submitted that the orders were passed by the reference Court on 07.04.2025. In view of this development, the reference that was sought for by the petitioner will be made to the concerned Court within the time frame fixed by this Court.

4. In the light of the above discussion and after considering the materials placed before this Court, there shall be a direction the 2nd respondent to refer the matter to the concerned District Court under Section 18 of the Act, within a period of four weeks from the date of receipt of copy of the order. It is left open to the petitioner to



approach the reference Court and seek for enhancement of compensation. Pursuant to the order passed by the Court in LAOP.Nos.4 & 5 of 2024, the amount has already been deposited in the concerned Court. Therefore, it is left open to the petitioner to file an appropriate application before the concerned Court and seek for withdrawal of the compensation without prejudice to his rights to seek for enhancement of compensation.

5.This writ petition is disposed of in the above terms. No costs.

28.04.2025

Index : Yes/No

NCS : Yes/No

KP

To

1.Union of India

Rep.by

Secretary to Government (Revenue)

Government of Pondicherry.

2.The District Collector

Karaikal District.

3.Sub Collector (Revenue) cum

Land Acquisition Officer

Karaikal District.

N.ANAND VENKATESH, J.



WEB COPY



KP

Writ Petition No.9700 of 2025

28.04.2025