



W.P.(MD)No.3339 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3339 of 2025

T.T.Ramesh Raja

... Petitioner

/Vs./

1.The District Collector,
Tirunelveli District.

2.The Special Tahsildar,
Land Acquisition,
River Link Project Unit-I,
Ambasamudram,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to refer the petitioner's application dated 07.06.2024 seeking enhancement of land compensation to the Rehabilitation and Resettlement authority as per Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within a time period stipulated by this Court.



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For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. I have heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner's lands have been acquired by the respondents for water channel. The award dated 31.01.2024 has been passed, however, the petitioner claims that the said award was received only on 07.05.2024 and within a months thereafter, on 07.06.2024 he has made an application under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter called as Act, 2013). Section 64, first proviso mandates the Collector to refer the application made by the land owners



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for enhancement of compensation within 30 days from the date of receipt of the said application.

4. The grievance of the petitioner is that despite his application having been made on 07.06.2024, no further steps have been taken by the respondents in furtherance of Section 64 of the said Act.

5. Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents would submit that the petitioner's application dated 07.06.2024 seeking enhancement of compensation would be referred in due course and seeks eight weeks time in this regard.

6. Considering the fact that the award has been passed on 31.01.2024 and the petitioner has also made an application on 07.06.2024 seeking reference under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and admittedly, no reference having been made till date, the petitioner is entitled to issuance of writ of mandamus.



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7. Accordingly, the writ petition is allowed. The first respondent is directed to refer the petitioner's application dated 07.06.2024 for enhancement compensation under Section 64 of Central Act 30 of 2013 within a period of eight weeks from today. No costs.

Index : Yes / No
NCC : Yes / No
am

05.02.2025

TO:-

- 1.The District Collector,
Tirunelveli District.
- 2.The Special Tahsildar,
Land Acquisition,
River Link Project Unit-I,
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P.B. BALAJI, J.

am

Order made in
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