



W.P.(MD) No.4556 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:20.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.4556 of 2025

A.Vanaja

... Petitioner

vs.

The Land Acquisition Officer cum District Collector,
Thoothukudi District, Thoothukudi.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to forward the petitioner's application dated 11.07.2022 for the determination of the compensation for the petitioner's land bearing S.No.67B/5A to an extent of 21 cents in Keelakottai Village, Ottapidaram Taluk, Thoothukudi District, as per Section 64(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within the stipulated time prescribed by this Court.

For Petitioner : Mr.I.Robert Chandra Kumar

For Respondent : Mrs.K.Malathi
Additional Government Pleader

ORDER

Considering the limited scope of the relief sought for in the writ petition, with the consent of the learned counsel on either side, the writ petition is taken up for final disposal at the stage of admission itself.



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2.The petitioner has filed the instant writ petition seeking issuance of a Writ of Mandamus to direct the respondent to forward the petitioner's application dated 11.07.2022 for determination of fair compensation in respect of the lands acquired from the petitioner in S.No.67B/5A, measuring 21 cents in Keelakottai Village, Ottapidaram Taluk, Thoothukudi District in terms of Section 64(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents.

4.The learned counsel for the petitioner submits that aggrieved by the award of compensation for the acquisition of 21 cents of the petitioner's land, the petitioner has sought for enhancement of compensation by application dated 11.07.2022. The grievance of the petitioner is that the respondent has not forwarded the said application for enhancement to the competent Court in terms of Section 64 of the said Act. The prayer is only seeking the respondent to pass orders on the petitioner's application by forwarding the same to the competent Court. The act envisages an application to be made by the aggrieved land owners who seek enhancement of compensation awarded, in the event of their being



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dissatisfied with the award of compensation by the authorities. Here, admittedly as early as on 11.07.2022, expressing dissatisfaction, the petitioner has sought for enhancement of compensation. The respondent ought to have forwarded the said application to the competent Court within a period of 30 days, which admittedly has not been done.

5.In view of the above, I am inclined to entertain this writ petition. Accordingly, this Writ Petition is allowed with a direction to the respondent to refer the petitioner's application for enhancement of compensation to the competent Court, within a period of two weeks from the date of receipt of a copy of this order. No costs.

20.02.2025

sjj

NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

The Land Acquisition Officer cum District Collector,
Thoothukudi District, Thoothukudi.



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P.B.BALAJI, J.

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