

W.P.(MD)No.21305 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 18.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.21305 of 2024

T.ThaiKa Abdur Rahman Shuaib

...

Petitioner

Vs

1. The District Collector,
Collectorate, Ramanathapuram District.

2. The District Revenue Officer,
O/o.The District Revenue Office,
Collectorate, Ramanathapuram District.

3. The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer
Collectorate, Ramanathapuram District.

4. The Tahsildar,
Keelakkarai Taluk Office,
Keelakkarai, Ramanathapuram District.

5. The Special Tahsildar,
Neravy Taluk Office, Karaikal District, Pondicherry.

6. M/s.Oil and Natural Gas Corporation Ltd,
Rep by the Manager, Cauvery Asset Land Acquisition Section,
Neravy Complex, Neravy, Karaikal 609 604, Pondicherry.



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7. The Zonal Officer,
ONGC(Oil and Natural Gas Corporation Ltd),
Therkattu Regunathapuram Post,
Ramanathapuram District 623 523.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus direction respondents to provide adequate compensation along with arrears from the year 2019 to the petitioner by acquiring and taking possession of the entire land in favour of the respondents no. 6 and 7 in Survey no. 248/1 (patta no. 2044) in an extent of 9.42 acres situated in Thirupulani Village, Keelakkarai Taluk, Ramanathapuram District by considering the petitioner's representation, dated 15.03.2024 within a period stipulated time by this Court.

For Petitioner : Mr.I.Pinayakasu

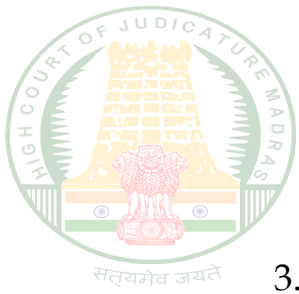
For Respondents: Mr.S.Kameswaran(R1-R5)
Government Advocate

**(*)Mr.G.Abraham Prabhu
for R6 & R7**

ORDER

The writ petition has been filed seeking issuance of a writ of mandamus to direct the respondents to pay compensation together with arrears from the year 2019, in respect of the lands acquired from the petitioner.

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



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3.The petitioner contends that the lands to an extent of 9.42 acres situated at Thirupulani Village, Keelakkarai Taluk, Ramanathapuram District have been temporarily acquired by the respondents 6 and 7 and in respect of the same, the petitioner has not been paid any compensation. The petitioner has also given a representation, dated 15.03.2024 in this regard and presently this writ petition seeks the payment of adequate compensation.

4.The learned Standing Counsel appearing for the respondents 6 and 7/ONGC would submit that it is only an extent of 5.82 acres, which has been fenced and used by the respondents 6 and 7 and fairly submitted that the petitioner may be entitled for compensation in respect of said 5.82 acres, not the entire 9.42 acres. Further, the petitioner's entitlement is from 2019 onwards.

5.Considering the above, the learned counsel for the petitioner would submit that he would be satisfied if the respondents 6 and 7 pay compensation in respect of the demarcated 5.82 acres, which alone is in use and in occupation of ONGC, that too, on temporary basis for the purpose of extraction of oil and gas.

6.In view of the above consensus between the parties, I deem it fit to pass the following order:

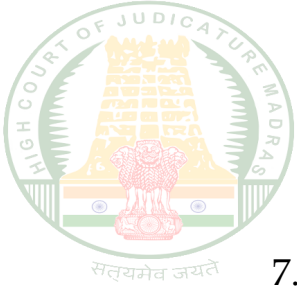
- 1. The 7th respondent shall fix a date for enquiry and give a notice of hearing to the petitioner.*



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2. *The petitioner shall appear before the 7th respondent on the said date and furnish all the documents in support of his claim and satisfy the 7th respondent about the entitlement of the compensation.*
3. *The 7th respondent, representing the 6th respondent shall pass orders, taking into account the representation of the petitioner, dated 15.03.2024 and after conducting enquiry, shall pass orders fixing the compensation for the use of the petitioner's lands measuring 5.82 acres, subject to the petitioner satisfying his his entitlement, consequent to demise of the mother of the petitioner, by providing all relevant documents in support of his contention. The amount so determined shall be paid from the year 2019 onwards.*
4. *Since the petitioner represents that the remaining extent out of 9.42 acres, it also not eligible of being put to any use because of the activities of ONGC, the petitioner is willing to hand over the remaining lands to the respondents 6 and 7. Considering the fact that the petitioner has already offered the said lands to the 6th respondent, the 6th respondent shall also consider the said request/offer of the petitioner for handing over the remaining land, i.e., 3.6 acres. The said exercise shall be completed by the respondents 6 and 7 within a period of eight weeks from the date of receipt of copy of this order.*



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7. With the above terms, this writ petition stands disposed of. No costs.

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Sd/-

18.02.2025

(*) Corrected order as per the order of this court dated 27.03.2025.

Sd/-

Assistant Registrar(P&A)

// True Copy //

/03/2025

Sub Assistant Registrar
(CS- I/ II / III / IV)

PNM

(*) To be substituted to the order already despatched on 25.03.2025.

TO:-

1. The District Collector,
Collectorate, Ramanathapuram District.

2. The District Revenue Officer,
O/o. The District Revenue Office,
Collectorate, Ramanathapuram District.

3. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer
Collectorate, Ramanathapuram District.

4. The Tahsildar,
Keelakkarai Taluk Office, Keelakkarai, Ramanathapuram District.



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5. The Special Tahsildar,
Neravy Taluk Office, Karaikal District, Pondicherry.

6. The Manager, M/s.Oil and Natural Gas Corporation Ltd,
Cauvery Asset Land Acquisition Section,
Neravy Complex, Neravy,
Karaikal 609 604, Pondicherry.

7. The Zonal Officer,
ONGC (Oil and Natural Gas Corporation Ltd),
Therkattu Regunathapuram Post, Ramanathapuram District 623 523.

+1 CC to M/s.SPL.GP (SR-10460[F] dated 19/02/2025)

+1 CC to M/s.I.PINAYGASH, Advocate (SR-10542[F] dated 19/02/2025)

+1 CC to M/s.S.I.MUTHIAH, Advocate (SR-10585[F] dated 19/02/2025)

ORDER IN
W.P.(MD)No.21305 of 2024
18.02.2025

KR/20.03.2025 6P/11C

KVL/28.03.2025 6P/11C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023