

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/155/2025

Shri Sukh Charan Singh and others

Vs.

The Union of India and others

Mr. Lokesh Chezian	...	for the petitioners
Ms. Babita Das	...	for the Administration
Ms. Dipaniwta Halder <i>[on behalf of Mr. V.D.Sivabalan]</i>	...	for the respondent nos.1&2

August 03, 2026
[SR]
Item No.30

1. The petitioners claim that while they had received compensation in the year 2013 for 2.375 hectares of land in Campbell Bay submerged in the Tsunami and an additional 1.0925 hectares has also submerged.
2. The petitioners' claim the additional 1.0925 hectares of submerged land, was not taken into in the earlier submergent report. Accordingly, the respondents appear to have conducted re-survey of the petitioners' land and has confirmed the submergence of land of 1.0925 hectares.
3. The petitioners surrender of the additional submerged land to the Tehsildar, Campbell Bay who accepted the same. The order of the Tehsildar came to be interfered with and set aside by the Deputy Commissioner on the ground that regulation 33 of the Andaman and Nicobar Islands Land Revenue and Land Reforms Regulation, 1966 empowers only the Deputy Commissioner to accept surrender of land and the Tehsildar could not.

4. Be that as it may, it appears from the record that the Administration had accepted the 1.0925 hectares of land has not been recorded in the original report of submerged land after Tsunami.

5. The Administration herein has forwarded to the Ministry of Home Affairs in the Central Government a recommendation for release of compensation to the petitioners for additional submerged land of 1.0925 hectares.

6. The Ministry remained silent and continues to do so.

7. In that view of the matter, this Court directs the Secretary, Ministry of Home Affairs to take a decision on payment of compensation to the additional submerged lands of the petitioners to the extent of 1.0925 hectares deemed to have submerged as consequence of the Tsunami that the islands faced in the year 2004.

8. Let such decision be taken by the Secretary, Ministry of Home Affairs and communicated to the petitioners within a period of four months from the date of communication of this order mandatorily and positively.

9. The decision of the Secretary, Ministry of Home Affairs shall be communicated to this Court by way of a report on affidavit.

10. The writ petition shall be listed on 28.09.2026

11. The petitioner shall communicate this order to the Secretary, Ministry of Home Affairs.

(Rajasekhar Mantha, J.)