

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.34783 of 2014

G.Mahamoodul Hasan

.. Petitioner

v.

The District Collector,
Cuddalore
Cuddalore District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the respondent to initiate fresh proceedings and fix a compensation amount in accordance with Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 by passing orders on the petitioner's representation dated 1.8.2014.

For Petitioner : Mr.G.Justin
For Respondent : Mr.S.Pattabiraman
Govt. Advocate

ORDER

The above writ petition has been filed by the petitioner to issue a writ of mandamus, directing the respondent to initiate fresh proceedings and fix a compensation amount in accordance with Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 by passing orders on his representation dated 1.8.2014.

2. It is the case of the petitioner that he gave a representation to the respondent on 1.8.2014 to initiate fresh proceedings and fix a compensation amount in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. In the year 1984, an extent of 4.96 acres of land owned by the petitioner's father, viz., Khazi Gulam Mohamed Ghouse, in R.S.No.279/2B of Killai (South) Village, Chidambaram Taluk, was acquired by the Special Thasildar (ADW) L.A., Chidambaram for provision of house sites to Irulars. The writ petition filed by the petitioner's father in W.P.No.3914 of 1984 was dismissed by this court on 25.3.1987. After the death of petitioner's father, the petitioner filed the death certificate of his father, legal heir certificate, etc., to the respondent and applied for refund of the compensation amount. Though a representation was given to the respondent on 1.8.2014, according to the petitioner, the respondent has not passed any orders on the said representation.

3. Mr.S.Pattabiraman, learned Government Advocate takes notice for the respondent and submitted that the respondent may be directed to dispose of the representation dated 1.8.2014 filed by the petitioner within a stipulated time.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the respondent to dispose of the representation dated 1.8.2014 filed by the petitioner on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rj

To

The District Collector,
Cuddalore
Cuddalore District.

+ 1 cc to Mr.G. Justice, Advocate Sr.9078
+ 1 cc to Government Pleader SR.9440

W.P.No.34783 of 2014

AK(CO)
Eu 2.03.15

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