

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.33871 of 2015

P.Saminathan

... Petitioner

Vs.

1. The District Collector,
Vellore District, Vellore.

2.The Special Tahsildar cum
Land Acquisition Officer,
National Highways No.46,
Vellore - 9, Vellore District.

... Respondents

PRAYER : Writ petition is filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the 1st respondent to consider the representation of the petitioner dated 12.02.2015 to pay the enhanced compensation amount for the lands acquired from him, comprised in Survey Nos.166/2B, measuring extent of 573 sq.mtrs. Situate at Vinnamangalam Village, Ambur Taluk (previously Vaniyambadi Taluk), Vellore District.

For Petitioners : M/s.R.Munuswamy

For Respondents : Mr.R.Lakshmi Narayanan,
Additional Govt. Pleader.

O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner's property comprised in Survey No.166/2B of Vinnamangalam Village, Ambur Taluk, Vellore

District to an extent of 700 sq.mtrs. was acquired by the second respondent for widening the National Highway, initially to an extent of 127 sq.mtrs. and thereafter another extent of 573 sq.mtrs. by way of two proceedings dated 26.02.2002. The second respondent fixed the compensation as Rs.30.27 per sq.mtrs. for the property acquired from the petitioner.

3. On 29.11.2005, the petitioner preferred appeal to the first respondent for enhancement of the compensation. The Special District Revenue Officer (i/c) National Highways Land Acquisition, Vellore, vide proceedings dated 11.12.2011 enhanced the compensation from Rs.30.27 per sq.mtrs. to Rs.143.49 only for an extent of 127 sq.ft. acquired from the petitioner. Hence, the petitioner again made representation to the first respondent on 12.02.2015 for enhancement of compensation in respect of 573 sq.mtrs. acquired from him. Though the said representation was received by the first respondent, so far no order has been passed. Hence, the petitioner has come before this Court.

4. Taking into consideration fixation of Rs.143.49 per sq.mtrs. in respect of 127 sq.mtrs. of land acquired from the petitioner, this Court directs the first respondent to consider the petitioner's representation dated 12.02.2015 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

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ASSISTANT REGISTRAR (CS-II)

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SUB-ASSISTANT REGISTRAR

rgr

To

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1. The District Collector,
Vellore District, Vellore.

2.The Special Tahsildar cum
Land Acquisition Officer,
National Highways No.46,
Vellore - 9, Vellore District.

+1 CC to MR.R.Munuswamy Advocate. SR.NO. 58705

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AR-II
JD 23/11/2015



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