



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD)No.19448 of 2015

WEB COPY

Ezhilarasi

..Petitioner

Vs

1.The District Collector,
Karur District,
Karur.

2.The Competent Authority,
National Highways 67
and Revenue Divisional Officer,
Kulithalai, Karur District.

3.The Special Tasildar(L.A),
National Highways 67,
Kulithalai,
Karur District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS directing the first respondent herein to complete the enquiry within the stipulated time and to pass final orders.

For Petitioner :Mr.S.Gokul Raj

For Respondents :Mr.N.S.Karthikeyan

Additional Government Pleader

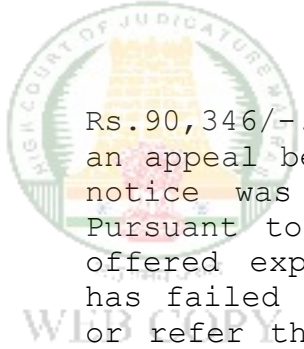
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the first respondent herein to complete the enquiry in the appeal filed by the son of the petitioner and to pass final orders within a stipulated time.

2. Mr.N.S.Karthikeyan, learned Additional Government Pleader takes notice for the respondents.

3. By consent, the Writ Petition itself is taken up for final disposal.

4. In the affidavit it has been averred that the petitioner is having house plots and residential building in S.F.Nos.156/6A, 156/6B1, 156/7B1, 156/9A, 156/10A measuring to an extent of 2690 sq. ft, 2690 sq. ft., 2690 sq. ft, 700 sq. ft. and 700 sq. ft respectively. The second and third respondents acquired the petitioner's land to an extent of 367.5 in the survey numbers for expanding the National Highways road in N.H.67. Thereafter, the third respondent has issued the certificate regarding payment of compensation in his proceedings in R.C.No.4588/2011, Since the award amount fixed by the third respondent is meagre, the son of the petitioner made an objection to the second respondent. In the meantime, the second respondent had awarded a sum of



Rs.90,346/-. As against the said award, the son of the petitioner filed an appeal before the first respondent on 30.01.2013. In the said appeal, notice was issued to the petitioner for the hearing on 30.09.2013. Pursuant to the same, the son of the petitioner appeared in person and offered explanation. After receiving explanation, the first respondent has failed to pass an award under Section 12 of the Land Acquisition Act or refer the same to the competent civil Court under Section 18 of the Act. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submission made by the learned counsel for the petitioner, without going into the merits of the averments made in the Writ Petition, this Court directs the first respondent to compete the enquiry in the appeal filed by the petitioner's son and pass appropriate orders on merits and in accordance with law, by affording an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Karur District, Karur.

2.The Competent Authority,
National Highways 67
and Revenue Divisional Officer,
Kulithalai, Karur District.

3.The Special Tasildar(L.A),
National Highways 67,
Kulithalai, Karur District.

+1cc to M/s.S.Gokulraj,Advocate in SR.No.62932

W.P (MD) No.19448 of 2015
28.10.2015

pm

PBK/NGM-SS/SAR-II 29/10/2015 ::2P-5C:: (IT)