

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.14080 of 2016

Rajendran

... Petitioner

Vs.

1. The District Collector cum Arbitrator,
Villupuram.

2. The Competent Authority and
Special District Revenue Officer (LA),
NH 68, Salem Ulundurpet,
Four Lane Road Project, Salem.

... Respondents

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to dispose the Application of the petitioner for Arbitration dated 07.09.2009 and 17.08.2010 in his proceedings Spl.DRO.286/2009 (NH-68) for acquisition of land of the petitioner herein situate in Survey Nos.in S.F.No.19/1C2, 19/1D2, 19/1F1, 19/2A, 19/2B1, 19/1B2 and 19/1b1 existing in Chinna Salem Village, Villupuram District existing at Chinna Salem Village, Villupuram District within an appropriate time.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.R.Rajeswaran

Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner has filed this writ petition seeking issuance of Mandamus directing the first respondent to dispose the application of the petitioner for Arbitration dated 07.09.2009 and 17.08.2010 in his proceedings Spl.DRO.286/2009 (NH-68) for acquisition of land of the petitioner herein situated in S.F.Nos.19/1C2, 19/1D2, 19/1F1, 19/2A, 19/2B1, 19/1B2 and 19/1b1 existing in Chinna Salem Village, Villupuram District.

3.Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

4.It is submitted by the learned counsel appearing for the petitioner that the application claiming enhancement of compensation was made by the petitioner on 30.12.2010 through proper channel and till date the same has not been disposed of. The petitioner also sent reminder by representation dated 01.12.2014.

5.It is not known as to why the petitioner had not taken any action between 2010 and 2014. Since the writ petition is disposed of at the admission stage, this Court is not inclined to go into the merits of the averments made by the petitioner in the representation nor inclined to issue any positive direction to the District Collector since it cannot be ascertained as to whether there was a proper application claiming enhancement of compensation.

6.However, since representation is pending before the District Collector, this Court directs the first respondent to consider the petitioner's representation dated 01.12.2014 and pass appropriate orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

7.The writ petition is disposed of with the above direction.
No costs.
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s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The District Collector cum Arbitrator, Villupuram.

2.The Competent Authority and
Special District Revenue Officer (LA),
NH 68, Salem Ulundurpet,
Four Lane Road Project, Salem.

+ 1 cc to Mr.R.Nalliyappan, Advocate, SR 23555
+ 1 cc to Govt.Pleader, High Court, Madras SR 23841

scd(co)
prk26/4

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