

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.1483 of 2016
and
W.M.P.No.1239 of 2016

K.Lakshmanan

... Petitioner

Vs.

The District Collector,
Coimbatore District,
Coimbatore-18.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to consider the representation of the petitioner dated 31.12.2015 to refer the matter by including of the successors in interest over the property to refer the matter before the competent court to make appropriate apportionment of the amount to be arrived under the proposed award to be passed with regard to the land acquired measuring about 18 acres and 11 cents in Survey No.8/1, Block No.2, Singanallur Village, Coimbatore South Taluk, Coimbatore District.

For Petitioner : Mr.V.Manohar

For Respondent : Mr.P.Sanjay Gandhi,
Additional Government Pleader

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to consider his representation dated 31.12.2015 to refer the matter by including the successors in interest over the property before the competent court to make appropriate apportionment of the amount to be arrived at under the proposed award to be passed with regard to the land acquired measuring about 18 acres and 11 cents in Survey No.8/1, Block No.2, Singanallur Village, Coimbatore South Taluk, Coimbatore District.

2. It is the case of the petitioner that the property measuring to an extent of 18.11 acres in Survey No.8/1, Block No.2 in Singanallur Village, Coimbatore South Taluk, Coimbatore District was originally owned by late Krishnamma Naidu, Narayana Naidu and others. The part of the property owned by late Krishnamma Naidu was subjected for land acquisition for the industrial purpose and also to extend the Coimbatore Airport. While proceeding with the land acquisition proceedings, the officers ignored some of the co-sharers of the said property and had given notice only to a particular group of persons. The officials of the respondent have also not verified the records properly with regard to the share of the property left with by the late Krishnamma Naidu and hence, a suit was filed in O.S.No.431 of 2012 and the same is pending on the file of the Subordinate Court, Coimbatore. On coming to know of the attempt made by a group of persons, the petitioner has taken up the issue through the representation dated 31.12.2015. But, the said representation was not considered so far. Hence, the petitioner has come up with the present writ petition for the relief set out earlier.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

4. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the respondent to consider the representation of the petitioner dated 31.12.2015 and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sbi

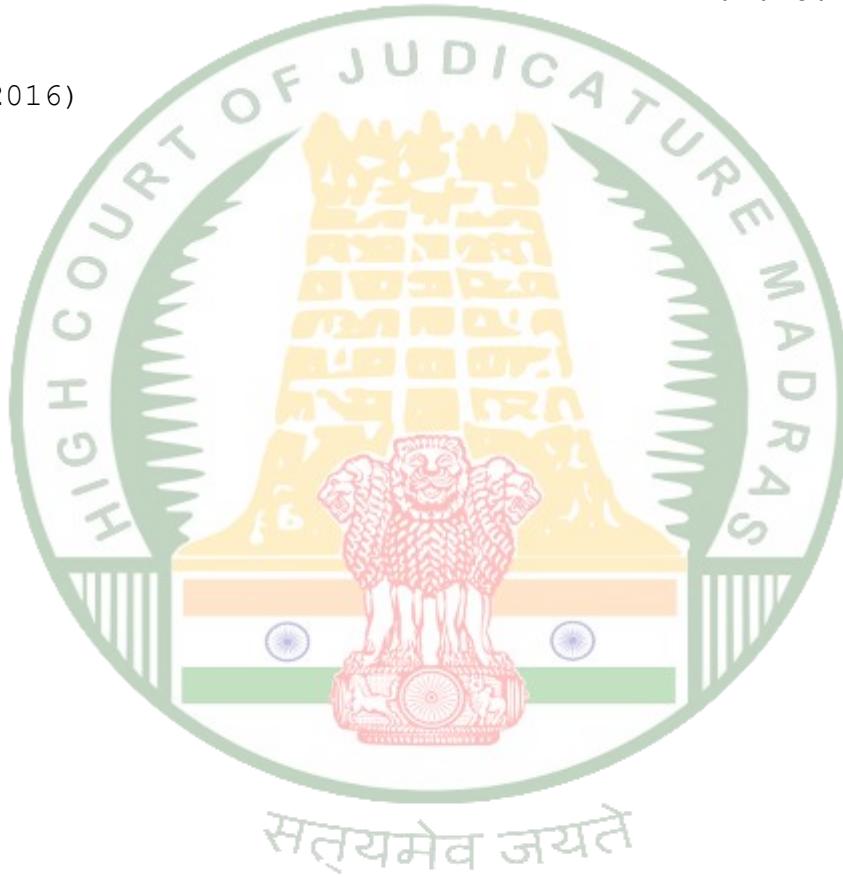
To

The District Collector,
Coimbatore District,
Coimbatore-18.

+2cc's to Mr.V.Manohar, Advocate, S.R.No.8337 & 8462
+1cc to the Government Pleader, S.R.No.8194

W.P.No.1483 of 2016

KJI (CO)
CA(24/02/2016)



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