

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.10.2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.31490 of 2016

M.Pachaamuthu Naickar

.. Petitioner

Vs.

1.The Arbitrator-cum-District Collector,
Collectorate, Villupuram.

2.The Competent Authority,
Special District Revenue Officer,
(LA) NH - 68, Salem.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 30.04.2016.

For Petitioner : Mr.D.Muthukumar

For Respondents : Mr.T.M.Pappiah,
Special Government Pleader

O R D E R

The petitioner's lands were acquired by the Government of India for expanding NH-68 and the compensation award was passed on 07.09.2009. The petitioner made a request to the competent authority for enhanced compensation and the amount fixed needs to be revised, as the lands having the same Survey Number got higher amount. Subsequently, additional award was passed on 09.12.2009. Again the petitioner made a representation to the first respondent on 10.06.2011 for considering and revising the compensation amount. In this regard, W.P.No.17683 of 2011 was filed by the petitioner. This Court by order dated 11.10.2011, directed the petitioner to approach the Collector. Thereafter, W.P.No.14566 of 2012 was filed by the petitioner. This Court passed an order in the year 2012 and directed the Collector to pass an order on or before 31.08.2012. Therefore, again filing a representation on 30.04.2016, the petitioner has come before this Court.

2.Heard Mr.D.Muthukumar, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondents.

3.A perusal of the records would show that the petitioner's lands were already acquired and an award was passed on 07.09.2009 and subsequently, additional award was passed on 09.12.2009 and the same was also paid. However, the part of the land has been treated as agricultural land and other portion has been treated as housing plot land. Therefore, the petitioner has given a representation to treat the agricultural land also a housing plot by virtue of the representation dated 30.04.2016. Therefore, the first respondent is directed to pass orders on the representation of the petitioner dated 30.04.2016, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Arbitrator-cum-District Collector,
Collectorate, Villupuram.

2.The Competent Authority,
Special District Revenue Officer,
(LA) NH - 68, Salem.

+1cc to Mr.D.Muthukumar, Advocate SR.60258
+1cc to the Government Pleader Sr.60770

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srg 25/11/2016