



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.10362 of 2015

P.Palanichamy

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Project Director,
National Highways Authority of India (PIU)
Trichy.

3.The District Revenue Officer,
(Land Acquisition)/Competent Authority,
Dindigul, Dindigul District.

4.The Special Tahsildar,
Land Acquisition,
National Highways Authority of India,
NH 45, Dindigul, Dindigul District.

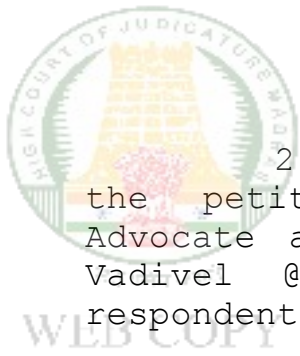
... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to disburse the full compensation payable by the respondents to the petitioner towards payment of compensation for the lands belonging to the petitioner and comprised in S.No. 938/32 Ayyaloor Village Dindigul District within the time stipulated by this Court.

For Petitioner : Mr.A.R.Kannappan
For Respondents 1,3&4 : Mr.J.Gunaseelan Muthiah,
Government Advocate.
For 2nd Respondent : Mr.Arul Vadivel @ Sekar

ORDER

The petitioner has come up with the above writ petition seeking for the issuance of a writ of mandamus, to direct the respondents to disburse full compensation payable by the respondents for the acquisition of lands belonging to the petitioner and comprised in S.No. 938/32 Ayyaloor Village, Dindigul District.



2. Heard Mr.A.R.Kannappan, learned counsel appearing for the petitioner, Mr.J.Gunaseelan Muthiah, learned Government Advocate appearing for the respondents 1, 3 and 4 and Mr.Arul Vadivel @ Sekar, learned counsel appearing for the second respondent.

3. According to the petitioner, the petitioner's land comprised in Survey No.938/2 C, situated at Trichy - Dindigul National Highways 45 Road which has been acquired by the respondents for laying the above said road. It is stated that the third respondent paid only a sum of Rs.13,853/- towards the value of the building and so far as the land value, no amount has been paid. Hence, the petitioner submitted a petition dated 24.12.2012 before the first respondent on a public grievance day meeting and requested them to pay full compensation. Since no order has been passed, the present writ petition has been filed.

4. When the matter came up for hearing, learned counsel appearing for the respondents submitted that a sum of Rs.13,153/- has been paid towards structure value and the land value of Rs.1,34,550+ 10% appreciation amount of Rs.13,455/- has been kept pending for want of submission of title or documentary evidence to substantiate the title of the petitioner over the land.

5. Learned counsel appearing for the petitioner submitted that all the relevant documents have already been submitted before the respondents.

6. In view of the fact that the land value has already been fixed by the competent authorities, the petitioner is directed to approach the third respondent and submit the documents relating to his title over the property acquired by the respondents. On receipt of such documents and on verifying the same, the respondents are directed to pay compensation within a period of twelve weeks thereafter.

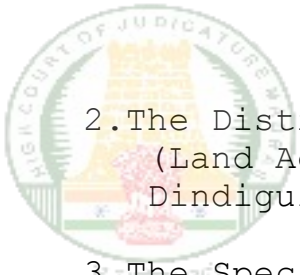
7. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To
1. The District Collector,
Dindigul District,
Dindigul.



2.The District Revenue Officer,
(Land Acquisition)/Competent Authority,
Dindigul, Dindigul District.

3.The Special Tahsildar,
Land Acquisition,
National Highways Authority of India,
NH 45, Dindigul, Dindigul District.

4.The Project Director,
National Highways Authority of India (PIV)
Trichy.

+1cc to special Government Pleader, SR.No.66997
+1cc to Mr.A.R.Kannappan, Advocate SR.No.66839
+1cc to Mr.C.Arul Vadivel @ Sekar, Advocate SR.No.66752

sms

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