



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No.1441 of 2015

S.Chandrasekaran

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.Authorized Officer/Special D.R.O.,
Land Acquisition, Dindigul - Kumuli Road,
NH 45 E & 220, Theni.

3.The Special Thasildhar (L.A)
NH 45E & 220, Theni,
Unit - I, Theni.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to fix the value and passing the award to the petitioner's acquired land of measuring 1652 Sq. Mtr. in S. No. 2012/1 in Thamaraikulam II Bit Village in Periyakulam Taluk in Theni District on par with the value fixed in Award No.51, dated 15.12.2014, by disposing his representation dated 07.01.2015, as accordance with law, within a time to be fixed by this Court.

For Petitioner : Mr.R.Suriya Narayanan

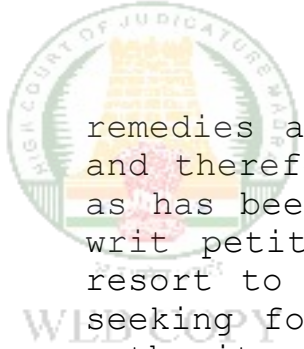
For Respondent : Mr.A.Muthukaruppan

A.G.P.

O R D E R

The petitioner seeks for a Mandamus for disposal of his representation, dated 07.01.2015, through which, he seeks for fixation of higher amount as compensation towards the land, which was acquired under the National Highways Act.

2. Needless to say that if the petitioner is aggrieved against the quantum of the award passed in the acquisition proceedings initiated under the abovesaid Act, he has to resort to the



remedies available under the Act for seeking higher compensation and therefore, there is no question of making any representation, as has been done by the petitioner in this case. Therefore, this writ petition is disposed of with liberty to the petitioner to resort to the remedies available under the National Highways Act seeking for enhancement of the compensation before the competent authority as per the procedure contemplated therein. If there is any delay in making such application, in view of the pendency of the writ petition before this Court, the said delay cannot be taken into consideration by the authorities, while considering the request of the petitioner seeking for enhancement of compensation. Needless to say that the request of the petitioner for enhancement shall be considered on its own merits and in accordance with law, as this Court has not expressed anything on merits in this writ petition. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Theni District.

2.Authorized Officer/Special D.R.O.,
Land Acquisition, Dindigul - Kumuli Road,
NH 45 E & 220, Theni.

3.The Special Thasildhar (L.A)
NH 45E & 220, Theni,
Unit - I, Theni.

+One cc to Mr.Suriyanarayanan, Advocate, SR.No.80355

+One cc to The Special Government Pleader, SR.No.80003

skn

RL/6C/2P/SKN/29.12.2016

W.P(MD)No.1441 of 2015