



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.17575 of 2016

and

W.M.P (MD) No.12705 of 2016

Murugan

... Petitioner

vs.

The Special Deputy Collector(LA),
State Industries Promotion
Corporation of Tamil nadu, (SIPCOT)
Green Super market Upstairs,
Bye-pass road,
Manapparai, Trichy.

... Respondent

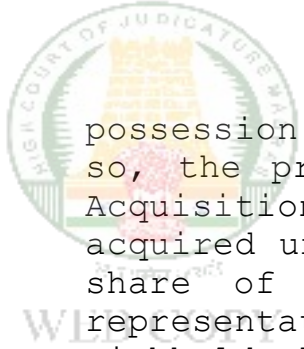
Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to withhold the interim compensation amount pertaining to the land situated in SF No.31/4 in Kannudaiyanpatty Village of Manapparai Taluk of Trichy District till the disposal of the petitioner representation dated 11.07.2016.

For Petitioner : Mr.S.Karthick Subramanian
For Respondent : Mr.M.Alagadevan,
Special Government Pleader

ORDER

This Writ of Mandamus has been filed for directing the respondent to withhold the interim compensation amount pertaining to the land situated in SF No.31/4 in Kannudaiyanpatty Village, Manapparai Taluk, Trichy District, till the disposal of the petitioner's representation dated 11.07.2016.

2.The facts of the case are that the properties in S.F.Nos.31/2 to 31/6 in Trichy District, Manapparai Taluk, Kannudaiyanpatti Village were in possession and enjoyment of the petitioner's ancestors. While the said properties were divided, S.F.No.31/4 was allotted to the petitioner's grandfather Vadugapudaiyar. After his demise, his sons namely, Veerapudaiyur and Naruthar enjoyed the properties jointly without any partition. Now, the petitioner and his cousin brother Kandhasamy are in



possession and enjoyment of the properties in S.F.No.31/4. While so, the properties in S.F.No.31/4 were acquired under the Land Acquisition Act. As the petitioner is having share in the acquired undivided property, he approached the respondent claiming share of the compensation amount. Subsequently, he made a representation dated 11.07.2016 to the respondent, seeking to withhold the interim compensation. As no orders are passed on the said representation, the petitioner has filed this Writ of Mandamus, for the relief as stated supra.

3.It is the case of the petitioner that despite his representation having been submitted to the respondent on 11.07.2016 and despite his appearance before the respondent on 12.08.2016, his request has not been considered so far.

4.The learned Special Government Pleader appearing for the respondent would submit that it is agreeable for the respondent to consider and to pass orders on the representation of the petitioner dated 11.07.2016 within a time frame.

5.In view of the above, without expressing any opinion on the merits of the case, this Court directs the respondent to consider the representation of the petitioner dated 11.07.2016 and to pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of. No costs. Consequently, W.M.P(MD)No.12705 of 2016 is closed.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To
The Special Deputy Collector(LA),
State Industries Promotion
Corporation of Tamil nadu, (SIPCOT)
Green Super market Upstairs,
Bye-pass road,
Manapparai, Trichy.

+1 cc to Mr.S.Karthick Subramanian, Advocate SR.No.54108

W.P(MD)No.17575 of 2016
19.09.2016

SMA/SKS-RR/21.10.2016:2P/2C