



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.18757 of 2016

K.Manokaran

... Petitioner

vs.

1)The District Collector,
Theni District,
Theni.

2)The Special District Revenue Officer,
Land Acquisition-National Highways,
Theni.

3)The Special Tashildar,
(Land Acquisition),
Nation Highways 45E & 220,
Theni.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, direct the first respondent to consider and pass orders in the appeal filed by the petitioner dated 19.08.2016 within a reasonable time fixed by this Hon'ble Court.

For Petitioner : Mr.M.Gnanagurunathan

For Respondents : Mrs.S.Bharathi, Government Advocate

ORDER

The petitioner had purchased a property comprised in S.No.1477/1A measuring an extent of 2 acres and 10 cents, situated in Melacudalore North Village, Uthamapalayam Taluk, through registered sale deeds bearing Document Nos.1065 and 3029 in the year 1997; according to the petitioner, right from the date of purchase in the year 1997, he is in possession and enjoyment of the abovesaid property; while so, the respondents 2 and 3 initiated acquisition proceedings for extension of National Highway 45 (Dindigul-Theni-Kumuli National Highway) and for forming National Highways-220; thereafter, the 2nd respondent had issued an order to the petitioner under Section 3(E)(1) of the National Highways Act, for acquisition of his property; contending that compensation for his acquired lands was not properly fixed, while the adjacent land owners were given proper compensation, the



petitioner filed an Appeal dated 19.08.2016 before the 1st respondent, seeking to raise the amount of compensation on par with the compensation granted to the adjacent land owners and stating that the 1st respondent has not yet disposed of his Appeal, the petitioner has filed this writ petition, for a direction to the 1st respondent to dispose of his Appeal dated 19.08.2016, within a time frame to be fixed by this Court.

2.The prayer in this writ petition lies in a narrow compass.

3.The learned Government Advocate appearing for the respondents submitted that it is agreeable for the 1st respondent to dispose of the Appeal dated 19.08.2016, preferred by the petitioner, within a time frame to be fixed by this Court.

4.Recording the above submission, this Writ Petition is disposed of directing the 1st respondent to consider the petitioner's Appeal dated 19.08.2016 and to pass appropriate orders thereon, after affording opportunity to the petitioner to put forth his case, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS II)

/True Copy/

Sub Assistant Registrar

nbi
TO

1)The District Collector,
Theni District,Theni.

2)The Special District Revenue Officer,
Land Acquisition-National Highways,
Theni.

3)The Special Tashildar,
(Land Acquisition),
Nation Highways 45E & 220,
Theni.

+1cc to Mr.GNANA GURUNATHAN,Advocate Sr.No. 57617

+1cc to Spl.Government Pleader Sr.No. 57949

JAM/01.11.16/SKS-RR/2P-6C

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