



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN****W.P(MD)No. 18772 of 2015**

J.Jeyaraj

.. Petitioner

Vs.

The District Collector,
Madurai District,
Madurai.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to refer petitioner's petition dated 27.06.2015 U/s-18 of the Land Acquisition Act to the Court to fix the enhanced compensation for the acquisition of the petitioner's land being 1 Acre 4.57 cents, in Survey No.89 at Plot No.23, 6.35 Cents of 2762 Sqft. Situated at Madurai South Taluka, Thoppur Village, Madurai, by considering petitioner's representation dated 27.06.2015 within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondent : Mr.S.Kumar,
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner, seeking a writ of Mandamus, to direct the respondent to refer his petition, under section 18 of the Land Acquisition Act, to enhance the compensation for his land, by considering his representation dated 27.06.2015.

2.According to the petitioner, he purchased Plot No.23 of 6.35 cents of 2762 Sq.feet, to an total extent of 1 acre 4.57 cents, in Survey No.89, situated at Madurai South Taluk, Thoppur Village, Madurai, on 10.07.1971, which was subsequently acquired by the respondent on 20.01.1986. The award amount for the said acquisition was also deposited before the Court below and the same was received by the petitioner, after several rounds of litigation. Thereafter, he filed application under section 18 of



the Land Acquisition Act for enhancing the compensation on 22.06.2015, followed by a representation dated 27.06.2015, which is kept pending, without any action. Hence, the petitioner is before this Court.

3. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

4. The learned Counsel for the petitioner submitted that it would be suffice if the representation of the petitioner dated 27.06.2015, seeking reference under section 18 of the Land Acquisition Act, is disposed of, by the respondent, on merits and in accordance with law, within a time frame to be fixed by this Court.

5. Considering the limited scope of the relief sought for, this Court, without expressing any opinion on the merits of the petitioner's claim, directs the respondent to consider the representation of the petitioner dated 27.06.2015 and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Madurai District,
Madurai.

+1cc to Mr. A. Haja Mohideen, Advocate in SR.No.77213
+1cc to The Special Government Pleader in SR.No.77641

gk

AE/KP/SAR1/15.09.2017/2P/4C

ORDER MADE IN
W.P(MD) No.18772 of 2015
07.09.2017