

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 04.09.2017****CORAM:****THE HONOURABLE MR.JUSTICE R.MAHADEVAN****W.P(MD)Nos.9378 to 9380 of 2015**

C.Thangamani .. Petitioner in
W.P(MD)No.9378 of 2015

S.Kalarani .. Petitioner in
W.P(MD)No.9379 of 2015

G.Swornam .. Petitioner in
W.P(MD)No.9380 of 2015

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.
 2. The Divisional Engineer,
Highways, Nabard and Village Roads,
Tirunelveli.
- .. Respondents in
all W.Ps.

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the second respondent in Letter No.120/2014/Va1/dated 09.04.2015 and quash the same and direct the first respondent to refer the representations of the petitioners dated 04.02.2015 to any authority or Court under Section 19 or 20 of the Tamil Nadu Highways Act, 2001 for enhancement of compensation.

For Petitioner : Mr.C.Godwin
in all W.Ps.

For Respondents : Mr.S.Kumar,
in all W.Ps. Additional Government Pleader RR1&2

COMMON ORDER

These writ petitions are filed seeking a writ of Certiorarified Mandamus to quash letter No.120/2014/Va1/dated 09.04.2015 issued by the second respondent and direct the first respondent to refer the representations of the petitioners dated 04.02.2015 to any authority or Court under Section 19 or 20 of the Tamil Nadu Highways Act, 2001 for enhancement of compensation.



2.The case of the petitioners is that the lands belonged to the petitioners had been acquired for constructing a bridge across Thamirabarani River at Vallakadavu, Pacode Village, Vilavancode Taluk, Kanyakumari District and the compensation was fixed at Rs.1,485/- per square metre, which is, contrary to the compensation fixed for the lands situated on the other side of the river. Therefore, they made representations dated 04.02.2015 to the first respondent, seeking enhancement of compensation and the first respondent forwarded the same to the second respondent. But, the second respondent passed the impugned order, dated 09.04.2015, rejecting the claim of the petitioners. Therefore, the petitioners are before this Court.

3.Since the issue involved in all these writ petitions, is one and the same, they are taken up for hearing together and disposed of by this common order.

4.Heard both sides.

5.The learned Additional Government Pleader appearing for the respondents submitted that the claim of the petitioners shall be considered only by the first respondent, District Collector, Kanyakumari District, Nagercoil, before whom, the representations had not been placed earlier.

6.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioners claim, directs the petitioners to submit copies of the representations dated 04.02.2015 along with a copy of this order to the first respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the first respondent shall consider the same and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of four weeks thereafter.

7.The writ petitions are disposed of as above. No costs.

Sd/-

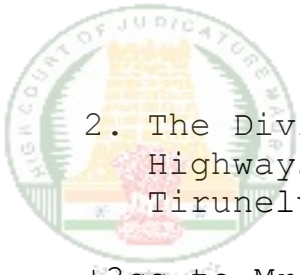
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
Nagercoil.



2. The Divisional Engineer,
Highways, Nabard and Village Roads,
Tirunelveli.

+3cc to Mr.C.Godwin, Advocate SR.No.76323,76324,76325

+1cc to The spl.Government Pleader Sr.No.76653

SMN

VB/MR/KKR/SAR2/12/09/2017/3P/7C

**COMMON ORDER MADE IN
W.P(MD) Nos.9378 to 9380 of 2015
04.09.2017**