



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:25.01.2017
CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.1154 of 2017

WEB COPY

R.Christal Nesaraj

..Petitioner

Vs

1.The District Collector,
Kanayakumari District,
Nagercoil.

2.The Competent Authority and
Special District Revenue Officer,
(Land Acquisition - National Highways),
Tirunelveli District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation, dated 04.02.2016.

For Petitioner : Mr.K.K.Ramakrishnan

For Respondents : Mr.C.Selvaraj,
Spl. Govt. Pleader

ORDER

The Petitioner seeks for a Mandamus directing the first respondent to consider the Petitioner's representation, dated 04.02.2016, wherein and whereby, he sought for enhancement of compensation for the lands said to have been acquired under the Land Acquisition Act.

2.Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.It is seen that the case of the Petitioner is to the effect that the subject-matter land was acquired under the Land Acquisition Act and that the compensation paid by the competent authority is not sufficient and therefore, the Petitioner wants enhancement of compensation. Needless to say that, such enhancement of compensation cannot be considered or decided, based on a simple representation made by the Petitioner, unless he



chooses to proceed as per the provisions contemplated under the Land Acquisition Act, for enhancement of compensation. Further, it is seen that the Petitioner is seeking for enhancement of compensation only before the first respondent.

5. In my considered view, the present course of action taken by the Petitioner is not proper, as he has to seek for enhancement of compensation as per the procedures contemplated under the Land Acquisition Act. Accordingly, this Writ Petition is disposed of, by giving liberty to the Petitioner to approach the competent authority, by making appropriate application seeking for enhancement of compensation as provided under the Land Acquisition Act. Needless to say that, if any such application is made, it is for the authority concerned to act in accordance with law. No costs.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanayakumari District,
Nagercoil.

2. The Competent Authority and
Special District Revenue Officer,
(Land Acquisition - National Highways),
Tirunelveli District.

+1cc to Mr.K.K.Ramakrishnan, Advocate Sr.No.4057

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 4510

pm

AE/RR-BS/06/02/2017/2p/5c

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