

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 09.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.14832 of 2017**

WEB COPY

Arul Prakash

... Petitioner

Vs.

1. The District Collector,
(Appellate Authority - Arbitrator)
Sivagangai.
2. The Special District Revenue Officer,
(National Highway - 49, Land Acquisition)
Collectorate Campus,
Ramnad.
3. The Special Tahsildar,
National Highways (Land Acquisition),
Manamadurai,
Sivagangai District.

... Respondents

PRAYER: Writ Petition has filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to pass an order on petitioner's appeal petition dated 26.04.2016, within a stipulated time.

For Petitioner : Mr.V.Lakshmanan

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

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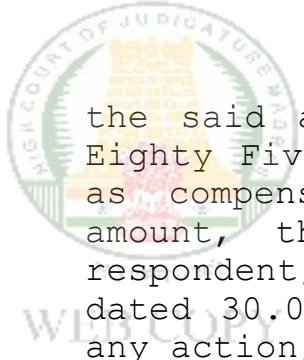
ORDER

This writ petition has been filed by the petitioner, seeking a Writ of Mandamus to direct the first respondent to dispose of his appeal dated 26.04.2016.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents.

3. By consent, the writ petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, his land in Survey No.86/3, extent of 18.50 acres in Patta No.1911, was acquired by the second and third respondents for the purpose of paving National Highway NH - 49, from Madurai to Rameshwaram. For



the said acquisition, a sum of Rs.10,85,272/- (Rupees Ten Lakh Eighty Five Thousand Two Hundred and Seventy Two only) was fixed as compensation amount. Being dis-satisfied with the award amount, the petitioner preferred an appeal before the first respondent, dated 26.04.2016, followed by a reminder petition dated 30.01.2017. As the said appeal was kept pending, without any action, the present petition came to be filed.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the petitioner's claim, directs the first respondent to dispose of the appeal of the petitioner dated 26.04.2016, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of six 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

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
(Appellate Authority - Arbitrator)
Sivagangai.
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(National Highway - 49, Land Acquisition)
Collectorate Campus,
Ramnad.
3. The Special Tahsildar,
National Highways (Land Acquisition),
Manamadurai,
Sivagangai District.

+1 CC to M/s.V.LAKSHMANAN, Advocate, SR No. 71516/17.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 72026/17.

GK

PSM/SKN-RSK/SAR2/22.08.2017/2P/6C

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