



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.1557 of 2017

V.Raju

... Petitioner

Vs.

1. The Arbitrator (District Collector)
(Under the National Highways Act)
Office of the District Collector,
Theni, Theni district.
2. The Authorised Officer /
District Revenue Officer (Land Acquisition)
Dindigul Kumuli Road,
NH 45E & 220, Theni,
Theni District.
3. The Revenue Divisional Officer
Theni, Theni District.
4. The Special Tahsildar
(Land Acquisition)
NH-45 Ext. & NH - 220 Unit - I,
Theni.
5. Maharani
5th respondent is impleaded vide Court order
dated 14.02.2017 in WMP(MD) No.1749 of 2017

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to disburse the payment of compensation to the petitioner for acquisition of land in S.No.1923/1D Tamaraikulam Village, Periyakulam Taluk, Theni District, together with interest at 12% p.a., from 05.10.2012 till date of payment, as per the communication of Special Tahsildar (L.A), NH.45 Extn(Ma)220 Four way Road, Phase - I, Theni, dated 13.06.2016, within a reasonable time as may be fixed by this Honb'le Court as per the representation of the petitioner dated 3.10.2016.

For Petitioner

: Mr.K.Appadurai

For R.1 to R.4

: Mr.M.Alagathevan,

<https://hcservices.ecourts.gov.in/hcservices/>

Special Government Pleader

For R.5

: Mr.D.P.Sundararaj

**ORDER**

This writ petition has been filed, seeking to direct the respondents to disburse the payment of compensation to the petitioner for acquisition of land in S.No.1923/1D Thamaraikulam Village, Periyakulam Taluk, Theni District, together with interest at 12% p.a., from 05.10.2012 till date of payment, as per the communication of Special Tahsildar (L.A), NH.45 Extn(Ma)220 Four way Road, Phase - I, Theni, dated 13.06.2016, by considering the representation of the petitioner dated 3.10.2016.

2. Heard the learned Counsel on either side.

3. It is the case of the petitioner that the property comprised in S.No.1923/1D in Thamaraikulam Village, Periyakulam Taluk, originally belonged to his father namely, Veerana Thevar and his brother Paramathevar. The respondents acquired the above said lands along with adjacent land in S.No.1923/1C etc. During payment of compensation, there was some erroneous entry in the revenue records, which was also amicably settled between the petitioner and 5th respondent, in the presence of 4th respondent. Patta transfer proceedings have also been issued by the Regional Deputy Tahsildar, dated 31.12.2015 in respect of both the parties. It is the further case of the petitioner that though he was paid compensation in respect of other adjacent properties, compensation due to him in respect of his own property has been kept pending. The respondents, in reply to the question raised under RTI Act, also admitted that the compensation has not been disbursed to the petitioner. Hence, the petitioner sent a representation to the 4th respondent to disburse the payment of compensation, but till date no steps have been taken to disburse the amount. Hence, he has filed this writ petition with the above prayer.

4. Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner dated 03.10.2016 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (Protocal)

/True Copy/

Sub Assistant Registrar



To:

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 4. The Special Tahsildar
(Land Acquisition)
NH-45 Ext. & NH - 220 Unit - I,
Theni.
- + 1 CC TO Mr.K.APPADURAI, ADVOCATE IN SR No. 70460

RM/AR

TE/MR-KKR/SAR-IV : 11/08/2017 : 3P/6C

W.P (MD) No.1557 of 2017
04.08.2017