



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2017

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THE HONOURABLE **MR. JUSTICE .R. MAHADEVAN**

Writ Petition(MD).No.17090 of 2017

Shanmugam

... Petitioner

Vs

1.The District Collector,  
Pudukottai District.

2.The Land Acquisition Officer  
cum Revenue Divisional Officer,  
Revenue Divisional Office,  
Eluppur, Pudukkottai District.

...Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents to reassess and to pay adequate compensation while passing the award for the land acquired from the petitioner in Patta No.2971 in Survey No.49/1A6B to the extent of 498 Sq Meter in 0.05.30 Hectors of land at Ennai Village, Eluppur Taluk, Trichy District under the Tamil Nadu Highways Act (Tamil Nadu Act No.34 of 2002) on the basis of the Petitioners Representation dated 08.08.2016 within the time frame fixed by this Court.

For petitioner : Mr.R.Rajaraman

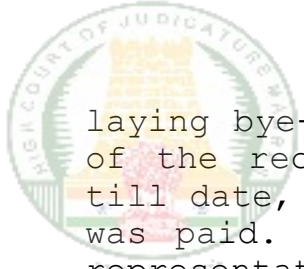
For respondents :Mr.S.Kumar

Additional Government pleader

### ORDER

The petitioner seeks for a direction to the respondents to reassess and to pay adequate compensation, while passing the award for the land acquired from the petitioner in Patta No.2971 in Survey No.49/1A6B to the extent of 498 Sq. Meter in 0.05.30 Hectors of land at Ennai Village, Eluppur Taluk, Trichy District under the Tamil Nadu Highways Act (Tamil Nadu Act No.34 of 2002), on the basis of the petitioner's representation dated 08.08.2016.

2.The case of the petitioner is that the petitioner purchased the land to an extent of 0.05.30 Hectors in S.No.49/1A6B situated at Ennai Village, Eluppur, Taluk, Trichy District through a registered sale deed dated 13.11.2011. After purchase, he paid Rs.56,950/- to the Tamil Nadu Electricity Board, Eluppur, for shifting the high tension line running in his land and improve his land with huge cost. Thereafter, the respondents acquired the several lands including the petitioner's land for the purpose of



laying bye-pass road. The second respondent, without referring any of the records, assessed compensation as Rs.60/- per sq.ft. But till date, no award was passed by the respondent and no compensation was paid. In these circumstances, the petitioner sent a detailed representation to the respondents on 08.08.2016 for reassess and to pay adequate compensation, while passing the award. Since no action was taken, the present writ petition has been filed.

3. Though the petitioner has sought for the larger relief as above, the learned Counsel appearing for the petitioner would submit that it would suffice, if the representation dated 08.08.2016 submitted by the petitioner may be directed to be considered by the first respondent.

4. Heard the learned Counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents, who would submit that if a reasonable time is granted to the first respondent, appropriate orders will be passed on the representation of the petitioner.

5. In view of the above submission and also considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 08.08.2016 and pass appropriate orders on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,  
Pudukottai District.

2. The Land Acquisition Officer  
cum Revenue Divisional Officer,  
Revenue Divisional Office,  
Eluppur, Pudukkottai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 79849

+1cc to M/s. R.RAJARAMAN Advocate in SR. No. 79775

SKN