



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2017

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.19395 of 2017

Govindaraj ... Petitioner
vs.

1.The Secretary to Government,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Secretariat,
Chennai - 600 009.

2.The District Collector,
Thanjavur District,
Thanjavur.

3.The Land Acquisition Officer and
District Revenue Officer,
Thanjavur.

4.The Divisional Engineer,
Highways Department,
Thanjavur.

5.The Revenue Divisional Officer,
Thanjavur.

6.The Tahsildar,
Thanjavur Taluk,
Thanjavur.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay compensation for excess of land measuring 0.20.0 Hectares in S.No.57B/13B situated at vannarapettai Village, Thanjavur Taluk and District which was forcibly taken possession in excess than the award of the third respondent in Award No.03/2012 as per law prevailing now.

For Petitioner

: Mr.S.Rajaprabu

For Respondents

: Mr.J.Gunaseelan Muthiah
Government Advocate

O R D E R

This writ petition has been filed seeking a direction to the respondents to pay compensation for the excess land measuring 0.20.0 hectares in S.No.57B/13B situated at vannarapettai Village, Thanjavur Taluk and District which was forcibly taken by the fourth respondent.

2.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.The case of the petitioner is that the land in S.No.57B/13B measuring to an extent of 0.03.39 ares situated at Vannarapettai Village, Thanjavur Taluk and District was acquired for the purpose of improving Thanjavur bye pass road and the third respondent, by his proceedings dated 01.03.2012, awarded compensation of Rs.6,388/-. But the fourth respondent, while laying roads in the acquired lands has taken excess land in the said survey number and failed to pay compensation for the excess land. Hence, the petitioner has given several representations to the respondents and after receipt of the same, the fifth respondent, recommended the third respondent to grant compensation for the excess land acquired. Since no action has been taken so far, the petitioner is before this Court with the above prayer.

4.The learned Government Advocate appearing for the respondents has not disputed the acquisition as well as the compensation already awarded to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that acquisition as well as compensation are not disputed, this Court without going into the merits of the matter, directs the third respondent to pay adequate compensation for the excess land measuring 0.20.0 Hectares in S.No.57B/13B situated at Vannarapettai Village, Thanjavur Taluk and District 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 (CS-III)

/True Copy/



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Highways Department, Thanjavur.
- 5.The Revenue Divisional Officer,
Thanjavur.
- 6.The Tahsildar,
Thanjavur Taluk, Thanjavur.

+One cc to The Special Government Pleader, SR.No.83042

mj

RL/8C/3P/KP/SAR3/1/11/2017

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