



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.19536 to 19545 of 2017

K.SELVARAJ	... Petitioner in WP(MD)No.19536/2017
P.RAMAMOORTHY	... Petitioner in WP(MD)No.19537/ 2017
C.PONNUCHAMY	... Petitioner in WP(MD)No.19538/ 2017
P.THANGARAJ	... Petitioner in WP(MD)No.19539/ 2017
K.GOPALSAMY	... Petitioner in WP(MD)No.19540/ 2017
V.KUPPUSAMY	... Petitioner in WP(MD)No.19541/ 2017
C.MURUGESAN	... Petitioner in WP(MD)No.19542/ 2017
C.KARUPPASAMY	... Petitioner in WP(MD)No.19543/ 2017
V.NATHIRAJA	... Petitioner in WP(MD)No.19544/ 2017
P.SUDHAKAR VIJAYANAND	... Petitioner in WP(MD)No.19545/ 2017

vs.

1.The District Collector cum Arbitrator,
Dindigul District, Dindigul.

2.The District Revenue Officer cum
Authorised Competent Authority,
National Highways 209, Dindigul.

3.The Special Tahsildar,
Land Acquisition,
N.H.No.209, Oddanchathiram
Dindigul District.

4.The Project Director,
National Highways 209,
Dindigul District, Dindigul. ... Respondents in all WP's

Prayer in WP(MD)No.19536/2017: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent herein to dispose of petitioner's representations dated 27.10.2015 and 29.12.2015 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.



Prayer in WP(MD). 19537/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of petitioners representations dated 03.09.2015 and 29.12.2015 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.

Prayer in WP(MD). 19538/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of petitioners representations dated 27.07.2015 and 29.12.2015 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.

Prayer in WP(MD). 19539/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of petitioners representations dated 27.07.2015 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.

Prayer in WP(MD). 19540/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of petitioners representations dated 27.07.2015 and 31.12.2015 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.

Prayer in WP(MD). 19541/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of petitioners representations dated 27.07.2015 and 04.01.2016 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.

Prayer in WP(MD). 19542/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent herein to dispose of petitioners representations dated 27.07.2015 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.

Prayer in WP(MD). 19543/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent herein to dispose of petitioners representations dated 27.07.2015 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.

Prayer in WP(MD). 19544/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of my representations dated 27.11.2015 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.

Prayer in WP(MD). 19545/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of my representations dated 25.11.2015 and 01.01.2016 for payment of enhanced compensation as per Section 3- G(5) of National Highways Act to the petitioner within the time stipulated time.

For Petitioners : Mr.P.Mahendran in all WP's

For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader in all WP's

COMMON ORDER

These writ petitions have been filed seeking a direction to the first respondent to consider the petitioners' representations dated 29.12.2015, 27.07.2015, 31.12.2015, 04.01.2016, 27.11.2015 and 01.01.2016 for payment of enhanced compensation as per Section 3-G(5) of National Highways Act to the petitioners.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents. By consent, these writ petitions are taken up for disposal at the stage of admission itself.



3.The case of the petitioners is that the respondents have acquired their respective lands to the extent as mentioned in the petitions for the purpose of formation of Ring road and at the time of acquisition, the second respondent fixed the market value at Rs.12,200/- per acre, without taking into account the market value of the nearby lands and he has also not considered the fact that the petitioners used to raise various crops in the acquired lands. Hence, they have given representations seeking enhancement of compensation. As the same have not been considered so far, these writ petitions have been filed with the above prayer.

4.The learned Additional Government Pleader appearing for the respondents would submit that if a reasonable time is granted to the respondents, the representations of the petitioners will be considered and suitable orders will be passed.

5.Considering the facts and circumstances of the case, this Court, without going into the merits of the matter, directs the first respondent to consider the representations of the petitioners dated 29.12.2015, 27.07.2015, 31.12.2015, 04.01.2016, 27.11.2015 and 01.01.2016 and pass appropriate orders thereon on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, after giving opportunity of hearing to the petitioners.

6.With the above direction, these petitions are disposed of. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector cum Arbitrator,
Dindigul District, Dindigul.

2.The District Revenue Officer cum
Authorised Competent Authority,
National Highways 209, Dindigul.

3.The Special Tahsildar, Land Acquisition,
N.H.No.209, Oddanchathiram, Dindigul District.

4.The Project Director, National Highways 209,
Dindigul District, Dindigul.

+One cc to The Special Government Pleader, SR.No.83506

+One cc to Mr.P.Mahendran, Advocate, SR.No.83261