



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) Nos.22614 to 22618 of 2017

R.Sivasubramanian	... Petitioner in W.P(MD)No.22614/17
P.Kandasamy	... Petitioner in W.P(MD)No.22615/17
P.Shanmugavel	... Petitioner in W.P(MD)No.22616/17
A.Mohammed Nasar	... Petitioner in W.P(MD)No.22617/17
A.Jaheer Hussain	... Petitioner in W.P(MD)No.22618/17

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 petitions

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India praying to issue writ of Mandamus directing the first respondent herein to dispose of petitioner's representation dated 05.09.2015, 14.08.2015 and 22.12.2014, respectively, 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

For Respondents : Mr.M.Alagathevan
Special Government Pleader
(In all petitions)

COMMON ORDER

These writ petitions have been filed seeking a direction to the first respondent to consider the petitioners' representations dated 05.09.2015, 14.08.2015 and 22.12.2014 respectively for payment of enhanced compensation as per Section 3-G(5) of the National Highways Act to the petitioners.

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

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 in N.H.No.209 from Dindigul to Bangalore 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 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 Special Government Pleader appearing for the respondents, on instructions, would submit that if 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 05.09.2015, 14.08.2015 and 22.12.2014 respectively and pass appropriate orders thereon on merits and in accordance with law, after giving opportunity of hearing to the petitioners and any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CSIII)

/True Copy/

Sub-Assistant Registrar



To

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

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

3.The Special Tahsildar,
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4.The Project Director,
National Highways 209,
Dindigul District, Dindigul.

Gk
RL/5C/3P/MR/KKR/SAR1/22/12/2017

W.P(MD) Nos.22614 to 22618 of 2017

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