

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 21.12.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.23689 of 2017

Karupayee Ammal

... Petitioner

Vs.

1. The Principal Secretary to the Government,
Secretariat,
St. George Fort,
Chennai - 9.
2. The Secretary to the Government,
Revenue Department,
Secretariat,
St. George Fort,
Chennai - 9.
3. The Commissioner for Revenue Administration,
Chepauk, Chennai - 5
4. The District Collector
Virudhunagar District,
Virudhunagar.
5. The District Revenue Officer
Virudhunagar District, Virudhunagar.
6. The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to pass appropriate order allotting the fund for disbursing the enhanced compensation amount together with the statutory benefits to the petitioner based on the proceedings of the fourth respondent vide Na.Ka.D2/25128/2003 dated 05.12.2017 and the petitioner's representation dated 15.12.2017.

For Petitioners : Mr.S.Balaji

For Respondents : Mr.M.Alagathevan,

Special Government Pleader

**ORDER**

This writ petition has been filed by the petitioner, seeking to direct the respondents 1 to 3 to pass appropriate order allotting the fund for disbursing the enhanced compensation amount together with the statutory benefits to the petitioner based on the proceedings of the fourth respondent vide Na.Ka.D2/25128/2003 dated 05.12.2017 and the petitioner's representation dated 15.12.2017.

2.Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents.

3. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

4. According to the petitioner, his land in Survey No.160/7, Kooraikundu Village, Virudhunagar District was acquired by the Special Tahsildar (Land Acquisition) for the purpose of constructing the Collectorate Building and Staff Quarters, by issuing 4(1) notification. Aggrieved by the fixation of compensation by the respondents, the petitioner raised his objections. Thereafter, appeal in A.S.No.840 of 1987 and Writ Appeal in W.A.(MD) No.88 of 2009 were filed questioning the quantum of compensation. Thereafter, the petitioner submitted a representation dated 15.12.2017 requesting the respondents to pay the enhanced compensation, in view of the judgment passed in A.S.No.840 of 1987 dated 29.04.2002. Since, there was no action on the part of the respondents, the petitioner is before this Court with the above prayer.

5. The learned Counsel for the petitioner would submit that it would suffice, if the representation dated 15.12.2017 submitted by the petitioner to the respondents, is directed to be considered by the respondents 1 to 3 in the light of the proceedings dated 05.12.2017, of the fourth respondent, within the time stipulated by this Court.

6. Considering the facts and circumstance of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, directs the respondents 1 to 3, to consider the representation of the petitioner dated 15.12.2017, for payment of enhanced compensation and pass necessary orders thereon, in the light of the proceedings dated 05.12.2017, issued by the fourth respondent, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.



7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

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/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to the Government,
Secretariat,
St. George Fort,
Chennai - 9.
2. The Secretary to the Government,
Revenue Department,
Secretariat,
St. George Fort,
Chennai - 9.
3. The Commissioner for Revenue Administration,
Chepauk, Chennai - 5
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Virudhunagar District,
Virudhunagar.
5. The District Revenue Officer
Virudhunagar District, Virudhunagar.
6. The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

+ 1 cc TO Mr.S.Balaji , Advocate in SR No. 94058
+ 1 cc TO The Special Government Pleader in SR No. 94775

rm
AE/JC/SAR1/11.01.2018/3P/9C

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21.12.2017