



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.6099 of 2017

M.P.Kalaiselvan

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai - 625 020.

2.The Special Tahsildar,
Airport Extension,
Madurai - 625 020.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to complete the proceeding as per first respondent's communication Na.Ka.No.P6/3715/2008, dated 22.02.2012 and to pay entire compensation with solatium and interest and other lawful amount if any, by considering petitioner's representation dated 29.07.2016 within the period stipulated by this Court.

For Petitioner

: M/s.P.Krishnaveni

For Respondents

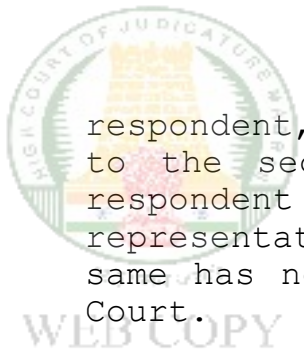
: Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents to complete the acquisition proceedings as per the first respondent's communication in Na.Ka.No.P6/3715/2008, dated 22.02.2012 and to pay entire compensation with solatium, interest and other lawful amount, if any, based on the petitioner's representation dated 29.07.2016, within the time stipulated by this Court.

2.Heard both sides.

3.The case of the petitioner is that his punja land admeasuring 0.24.0 Hectares [15 cents and 60 feet] comprised in Survey No.457, near Madurai Airport, is proposed to be acquired for the purpose of extension of Madurai Airport and the petitioner made a representation, dated 18.01.2012, to the first respondent, seeking to fix the compensation at Rs.4,00,000/- per cent and the first



respondent, vide communication, dated 22.02.2012, forwarded the same to the second respondent for further action. Since the second respondent has not completed the proceedings, he also made a representation, dated 29.07.2016, to the first respondent. As the same has not been considered so far, the petitioner is before this Court.

4.The learned Additional Government Pleader appearing for the respondents would submit that the communication of the first respondent is dated 22.02.2012 and on that particular date, no such communication came to be issued to the second respondent.

5.The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 29.07.2016, is disposed of by the first respondent as per law.

6.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the petitioner to place a copy of the representation dated 29.07.2016 along with a copy of this order to the first respondent within a period of two weeks from the date of receipt of a copy of this order and on such filing, the first respondent is directed to consider the same and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner within a period of six weeks thereafter.

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

Sd/-
Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai - 625 020.

2.The Special Tahsildar,
Airport Extension,
Madurai - 625 020.

+One cc to Mr.A.Hajamohideen, Advocate, SR.No.86166
+One cc to The Special Government Pleader, SR.No.86563

smn
RL/5C/2P/MR/KKR/SAR2/20/11/2017

ORDER MADE IN

W.P (MD) No.6099 of 2017