



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.8202 of 2017

M.Raju

: Petitioner

-VS-

1. The District Collector,
Kanyakumari District
at Nagercoil.
2. The Deputy General Manager (Tech)-cum-
Project Director,
Project Implementation Unit,
No.314E, K.P.Road,
Near Ayappan Kovil,
Parvathipuram, Nagercoil,
Kanyakumari District-629 003.
3. The Special District Revenue Officer,
Land Acquisition-National Highways,
Nagercoil,
Kanyakumari District.
4. The Special Tahsildar,
Land Acquisition-National Highways,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District-629 163.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 21.07.2016 and to disburse the balance amount of Rs.28,32,379/- being the compensation amount due to the Petitioner's property in R.Sy.No.102/2 of Kulapuram Village, Vilavancode Taluk, Kanyakumari District, kept in their joint account, within the time stipulated by this court.

For Petitioner

: Mr.M.R.Sreenivasan

For Respondents

: Mr.A.Muthukaruppan
Additional Government Pleader

**ORDER**

The prayer in the writ petition is to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 21.07.2016 and to disburse the balance compensation amount of Rs.28,32,379/-.

WEB COPY

2.The case of the petitioner is that he is the owner of the property comprised in Survey No.102/2 of Vara Vilai Puraiyedam, Kulapuram Village, Vilavancode Taluk, Kanyakumari District. The respondents have acquired the lands to an extent of 26 cents 500 square links under Land Acquisition Act for national highways and fixed compensation of Rs.45,48,707/-. However, the respondents have so far paid Rs.17,16,328/- and the balance amount of Rs.28,32,379/- was not disbursed. Hence, the petitioner submitted a representation to the respondents on 21.07.2016 to disburse the balance amount of Rs.28,32,379/-. Since no order was passed, the present writ petition has been filed for the relief as stated above.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4.In view of the limited scope of prayer sought for in this writ petition, without going into the merits of the case, the writ petition is disposed of directing the respondents 2 and 3 to consider the representation of the petitioner, dated 21.07.2016 and pass orders purely on merits and in accordance with law, after affording opportunity of hearing to the parties concerned, if any, within a period of four weeks from the date of receipt of the order copy. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To,

1. The District Collector,
Kanyakumari District
at Nagercoil.
2. The Deputy General Manager (Tech)-cum-
Project Director,
Project Implementation Unit,
No.314E, K.P.Road,
Near Ayappan Kovil,
Nagercoil,
Kanyakumari District-629 003.



3. The Special District Revenue Officer,
Land Acquisition-National Highways,
Nagercoil,
Kanyakumari District.

WEB COPY

4. The Special Tahsildar,
Land Acquisition-National Highways,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District-629 163.

+1cc to Spl.Government Pleader Sr.No.59439

+1cc to Mr.M.R.Sreenivasan, Advocate Sr.No.59454

ER

VB/SV-MMS/SAR1/21.06.2017/3P/7C

W.P. (MD) No.8202 of 2017

08.06.2017